

104TH CONGRESS  
1ST SESSION

# H. R. 2666

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1995

Mr. CALLAHAN introduced the following bill; which was referred to the Committee on Appropriations

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## A BILL

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 1996, and for other pur-  
6       poses, namely:

1           TITLE I—EXPORT AND INVESTMENT  
2                           ASSISTANCE

3           EXPORT-IMPORT BANK OF THE UNITED STATES

4           The Export-Import Bank of the United States is au-  
5 thorized to make such expenditures within the limits of  
6 funds and borrowing authority available to such corpora-  
7 tion, and in accordance with law, and to make such con-  
8 tracts and commitments without regard to fiscal year limi-  
9 tations, as provided by section 104 of the Government  
10 Corporation Control Act, as may be necessary in carrying  
11 out the program for the current fiscal year for such cor-  
12 poration: *Provided*, That none of the funds available dur-  
13 ing the current fiscal year may be used to make expendi-  
14 tures, contracts, or commitments for the export of nuclear  
15 equipment, fuel, or technology to any country other than  
16 a nuclear-weapon State as defined in Article IX of the  
17 Treaty on the Non-Proliferation of Nuclear Weapons eligi-  
18 ble to receive economic or military assistance under this  
19 Act that has detonated a nuclear explosive after the date  
20 of enactment of this Act.

21                           SUBSIDY APPROPRIATION

22           For the cost of direct loans, loan guarantees, insur-  
23 ance, and tied-aid grants as authorized by section 10 of  
24 the Export-Import Bank Act of 1945, as amended,  
25 \$786,551,000 to remain available until September 30,

1 1997: *Provided*, That such costs, including the cost of  
 2 modifying such loans, shall be as defined in section 502  
 3 of the Congressional Budget Act of 1974: *Provided fur-*  
 4 *ther*, That such sums shall remain available until 2010 for  
 5 the disbursement of direct loans, loan guarantees, insur-  
 6 ance and tied-aid grants obligated in fiscal years 1996 and  
 7 1997: *Provided further*, That up to \$100,000,000 of funds  
 8 appropriated by this paragraph shall remain available  
 9 until expended and may be used for tied-aid grant pur-  
 10 poses: *Provided further*, That none of the funds appro-  
 11 priated by this paragraph may be used for tied-aid credits  
 12 or grants except through the regular notification proce-  
 13 dures of the Committees on Appropriations: *Provided fur-*  
 14 *ther*, That funds appropriated by this paragraph are made  
 15 available notwithstanding section 2(b)(2) of the Export-  
 16 Import Bank Act of 1945, in connection with the purchase  
 17 or lease of any product by any East European country,  
 18 any Baltic State, or any agency or national thereof.

#### 19 ADMINISTRATIVE EXPENSES

20 For administrative expenses to carry out the direct  
 21 and guaranteed loan and insurance programs (to be com-  
 22 puted on an accrual basis), including hire of passenger  
 23 motor vehicles and services as authorized by 5 U.S.C.  
 24 3109, and not to exceed \$20,000 for official reception and  
 25 representation expenses for members of the Board of Di-  
 26 rectors, \$45,614,000: *Provided*, That necessary expenses

1 (including special services performed on a contract or fee  
 2 basis, but not including other personal services) in connec-  
 3 tion with the collection of moneys owed the Export-Import  
 4 Bank, repossession or sale of pledged collateral or other  
 5 assets acquired by the Export-Import Bank in satisfaction  
 6 of moneys owed the Export-Import Bank, or the investiga-  
 7 tion or appraisal of any property, or the evaluation of the  
 8 legal or technical aspects of any transaction for which an  
 9 application for a loan, guarantee or insurance commitment  
 10 has been made, shall be considered nonadministrative ex-  
 11 penses for the purposes of this heading: *Provided further,*  
 12 That, notwithstanding subsection (b) of section 117 of the  
 13 Export Enhancement Act of 1992, subsection (a) thereof  
 14 shall remain in effect until October 1, 1996.

15 OVERSEAS PRIVATE INVESTMENT CORPORATION

16 NONCREDIT ACCOUNT

17 The Overseas Private Investment Corporation is au-  
 18 thorized to make, without regard to fiscal year limitations,  
 19 as provided by 31 U.S.C. 9104, such expenditures and  
 20 commitments within the limits of funds available to it and  
 21 in accordance with law as may be necessary: *Provided,*  
 22 That the amount available for administrative expenses to  
 23 carry out the credit and insurance programs (including an  
 24 amount for official reception and representation expenses  
 25 which shall not exceed \$35,000) shall not exceed  
 26 \$26,000,000: *Provided further,* That project-specific trans-

1 action costs, including direct and indirect costs incurred  
2 in claims settlements, and other direct costs associated  
3 with services provided to specific investors or potential in-  
4 vestors pursuant to section 234 of the Foreign Assistance  
5 Act of 1961, shall not be considered administrative ex-  
6 penses for the purposes of this heading.

7 PROGRAM ACCOUNT

8 For the cost of direct and guaranteed loans,  
9 \$72,000,000, as authorized by section 234 of the Foreign  
10 Assistance Act of 1961: *Provided*, That such costs, includ-  
11 ing the cost of modifying such loans, shall be as defined  
12 in section 502 of the Congressional Budget Act of 1974:  
13 *Provided further*, That such sums shall be available for di-  
14 rect loan obligations and loan guaranty commitments in-  
15 curred or made during fiscal years 1996 and 1997: *Pro-*  
16 *vided further*, That such sums shall remain available  
17 through fiscal year 2003 for the disbursement of direct  
18 and guaranteed loans obligated in fiscal year 1996, and  
19 through fiscal year 2004 for the disbursement of direct  
20 and guaranteed loans obligated in fiscal year 1997. In ad-  
21 dition, such sums as may be necessary for administrative  
22 expenses to carry out the credit program may be derived  
23 from amounts available for administrative expenses to  
24 carry out the credit and insurance programs in the Over-  
25 seas Private Investment Corporation Noncredit Account  
26 and merged with said account.

1 FUNDS APPROPRIATED TO THE PRESIDENT

2 TRADE AND DEVELOPMENT AGENCY

3 For necessary expenses to carry out the provisions  
 4 of section 661 of the Foreign Assistance Act of 1961,  
 5 \$40,000,000: *Provided*, That the Trade and Development  
 6 Agency may receive reimbursements from corporations  
 7 and other entities for the costs of grants for feasibility  
 8 studies and other project planning services, to be deposited  
 9 as an offsetting collection to this account and to be avail-  
 10 able for obligation until September 30, 1997, for necessary  
 11 expenses under this paragraph: *Provided further*, That  
 12 such reimbursements shall not cover, or be allocated  
 13 against, direct or indirect administrative costs of the  
 14 agency.

15 TITLE II—BILATERAL ECONOMIC ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 For expenses necessary to enable the President to  
 18 carry out the provisions of the Foreign Assistance Act of  
 19 1961, and for other purposes, to remain available until  
 20 September 30, 1996, unless otherwise specified herein, as  
 21 follows:

22 AGENCY FOR INTERNATIONAL DEVELOPMENT

23 CHILD SURVIVAL AND DISEASE PROGRAMS

24 Of the funds appropriated in title II of this Act, and  
 25 under the heading “International Organizations and Pro-

grams” in title IV of this Act, not less than \$484,000,000 shall be made available for programs for child survival, assistance to combat tropical and other diseases, and related activities: *Provided*, That this amount shall be made available for such activities as (1) immunization programs, (2) oral rehydration programs, (3) health and nutrition programs, and related education programs, which address the needs of mothers and children, (4) water and sanitation programs, (5) assistance for displaced and orphaned children, (6) programs for the prevention, treatment, and control of, and research on, tuberculosis, HIV/AIDS, polio, malaria and other diseases, and (7) a contribution on a grant basis to the United Nations Children’s Fund (UNICEF).

#### DEVELOPMENT ASSISTANCE

#### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of sections 103 through 106 and chapter 10 of part I of the Foreign Assistance Act of 1961, title V of the International Security and Development Cooperation Act of 1980 (Public Law 96–533) and the provisions of section 401 of the Foreign Assistance Act of 1969, \$1,675,000,000, to remain available until September 30, 1997: *Provided*, That of the amount appropriated under this heading, up to \$20,000,000 may be made available for the Inter-American Foundation and shall be appor-

tioned directly to that agency: *Provided further*, That of  
the amount appropriated under this heading, up to  
\$11,500,000 may be made available for the African Devel-  
opment Foundation and shall be apportioned directly to  
that agency: *Provided further*, That of the funds appro-  
priated under title II of this Act that are administered  
by the Agency for International Development and made  
available for family planning assistance, not less than 65  
percent shall be made available directly to the agency's  
central Office of Population and shall be programmed by  
that office for family planning activities: *Provided further*,  
That the President shall seek to ensure that funds made  
available under this heading for sub-Saharan Africa are  
in substantially the same proportion to the total amount  
appropriated and made available by this Act for develop-  
ment assistance as the proportion of funds made available  
for development assistance for sub-Saharan Africa was to  
the total amount appropriated for development assistance  
in Public Law 103-306: *Provided further*, That up to  
\$25,000,000 of the funds appropriated under this heading  
may be made available for necessary expenses to carry out  
the provisions of section 667 of the Foreign Assistance  
Act: *Provided further*, That the President shall seek to en-  
sure that the percentage of funds made available under  
this heading for the activities of private and voluntary or-



ganizations and cooperatives is at least equal to the percentage of funds made available pursuant to corresponding authorities in law for the activities of private and voluntary organizations and cooperatives in fiscal year 1995: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That none of the funds made available under this heading may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions; and that in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the require-

1 ments of the previous proviso: *Provided further*, That for  
 2 purposes of this or any other Act authorizing or appro-  
 3 priating funds for foreign operations, export financing,  
 4 and related programs, the term “motivate”, as it relates  
 5 to family planning assistance, shall not be construed to  
 6 prohibit the provision, consistent with local law, of infor-  
 7 mation or counseling about all pregnancy options: *Pro-*  
 8 *vided further*, That nothing in this paragraph shall be con-  
 9 strued to alter any existing statutory prohibitions against  
 10 abortion under section 104 of the Foreign Assistance Act  
 11 of 1961: *Provided further*, That, notwithstanding section  
 12 109 of the Foreign Assistance Act of 1961, of the funds  
 13 appropriated under this heading not to exceed a total of  
 14 \$30,000,000 may be transferred to “International Organi-  
 15 zations and Programs” for a contribution to the Inter-  
 16 national Fund for Agricultural Development (IFAD), and  
 17 that any such transfer of funds shall be subject to the  
 18 regular notification procedures of the Committees on Ap-  
 19 propriations: *Provided further*, That not less than  
 20 \$650,000 of the funds made available under this heading  
 21 should be made available for support of the United States  
 22 Telecommunications Training Institute.

#### 23 CYPRUS

24 Of the funds appropriated under the headings “De-  
 25 velopment Assistance” and “Economic Support Fund”,  
 26 not less than \$15,000,000 shall be made available for Cy-

1 prus to be used only for scholarships, administrative sup-  
2 port of the scholarship program, bicommunal projects, and  
3 measures aimed at reunification of the island and designed  
4 to reduce tensions and promote peace and cooperation be-  
5 tween the two communities on Cyprus.

6 BURMA

7 Of the funds appropriated by this Act to carry out  
8 the provisions of chapter 8 of part I and chapter 4 of  
9 part II of the Foreign Assistance Act of 1961, not less  
10 than \$2,380,000 shall be made available to support ac-  
11 tivities in Burma, along the Burma-Thailand border, and  
12 for activities of Burmese student groups and other orga-  
13 nizations located outside Burma, for the purposes of fos-  
14 tering democracy in Burma, supporting the provision of  
15 medical supplies and other humanitarian assistance to  
16 Burmese located in Burma or displaced Burmese along  
17 the borders, and for other purposes: *Provided*, That of  
18 this amount, not less than \$200,000 shall be made avail-  
19 able to support newspapers, publications, and other  
20 media activities promoting democracy inside Burma: *Pro-*  
21 *vided further*, That of this amount, not less than  
22 \$380,000 shall be made available for crop substitution  
23 activities in cooperation with the Kachin people of  
24 Burma: *Provided further*, That funds made available  
25 under this heading may be made available notwithstand-  
26 ing any other provision of law: *Provided further*, That

1 provision of such funds shall be made available subject to  
2 the regular notification procedures of the Committees on  
3 Appropriations.

4 PRIVATE AND VOLUNTARY ORGANIZATIONS

5 None of the funds appropriated or otherwise made  
6 available by this Act for development assistance may be  
7 made available to any United States private and voluntary  
8 organization, except any cooperative development organi-  
9 zation, which obtains less than 20 per centum of its total  
10 annual funding for international activities from sources  
11 other than the United States Government: *Provided*, That  
12 the requirements of the provisions of section 123(g) of the  
13 Foreign Assistance Act of 1961 and the provisions on pri-  
14 vate and voluntary organizations in title II of the “Foreign  
15 Assistance and Related Programs Appropriations Act,  
16 1985” (as enacted in Public Law 98–473) shall be super-  
17 seded by the provisions of this section, except that the au-  
18 thority contained in the last sentence of section 123(g)  
19 may be exercised by the Administrator with regard to the  
20 requirements of this paragraph.

21 Funds appropriated or otherwise made available  
22 under title II of this Act should be made available to pri-  
23 vate and voluntary organizations at a level which is equiv-  
24 alent to the level provided in fiscal year 1995. Such private  
25 and voluntary organizations shall include those which op-  
26 erate on a not-for-profit basis, receive contributions from

1 private sources, receive voluntary support from the public  
2 and are deemed to be among the most cost-effective and  
3 successful providers of development assistance.

4 INTERNATIONAL DISASTER ASSISTANCE

5 For necessary expenses for international disaster re-  
6 lief, rehabilitation, and reconstruction assistance pursuant  
7 to section 491 of the Foreign Assistance Act of 1961, as  
8 amended, \$181,000,000, to remain available until ex-  
9 pended.

10 HUMANITARIAN ASSISTANCE TO THE FORMER  
11 YUGOSLAVIA

12 Of the funds appropriated in title II of this Act,  
13 \$40,000,000 should be available only for emergency hu-  
14 manitarian assistance to the former Yugoslavia, of which  
15 amount not less than \$6,000,000 shall be available only  
16 for humanitarian assistance to Kosova.

17 DEBT RESTRUCTURING

18 For the cost, as defined in section 502 of the Con-  
19 gressional Budget Act of 1974, of modifying direct loans  
20 and loan guarantees, as the President may determine, for  
21 which funds have been appropriated or otherwise made  
22 available for programs within the International Affairs  
23 Budget Function 150, including the cost of selling, reduc-  
24 ing, or canceling amounts, through debt buybacks and  
25 swaps, owed to the United States as a result of  
26 concessional loans made to eligible Latin American and

1 Caribbean countries, pursuant to part IV of the Foreign  
2 Assistance Act of 1961, \$10,000,000, to remain available  
3 until expended.

4 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM  
5 ACCOUNT

6 For the subsidy cost of direct loans and loan guaran-  
7 tees, \$1,500,000, as authorized by section 108 of the For-  
8 eign Assistance Act of 1961, as amended: *Provided*, That  
9 such costs shall be as defined in section 502 of the Con-  
10 gressional Budget Act of 1974: *Provided further*, That  
11 guarantees of loans made under this heading in support  
12 of microenterprise activities may guarantee up to 70 per-  
13 cent of the principal amount of any such loans notwith-  
14 standing section 108 of the Foreign Assistance Act of  
15 1961. In addition, for administrative expenses to carry out  
16 programs under this heading, \$500,000, all of which may  
17 be transferred to and merged with the appropriation for  
18 Operating Expenses of the Agency for International De-  
19 velopment: *Provided further*, That funds made available  
20 under this heading shall remain available until September  
21 30, 1997.

22 HOUSING GUARANTY PROGRAM ACCOUNT

23 For the cost, as defined in section 502 of the Con-  
24 gressional Budget Act of 1974, of guaranteed loans au-  
25 thorized by sections 221 and 222 of the Foreign Assist-  
26 ance Act of 1961, \$4,000,000, to remain available until

1 September 30, 1997: *Provided*, That these funds are avail-  
 2 able to subsidize loan principal, 100 percent of which shall  
 3 be guaranteed, pursuant to the authority of such sections.  
 4 In addition, for administrative expenses to carry out guar-  
 5 anteed loan programs, \$7,000,000, all of which may be  
 6 transferred to and merged with the appropriation for Op-  
 7 erating Expenses of the Agency for International Develop-  
 8 ment: *Provided further*, That commitments to guarantee  
 9 loans under this heading may be entered into notwith-  
 10 standing the second and third sentences of section 222(a)  
 11 and, with regard to programs for Eastern Europe and pro-  
 12 grams for the benefit of South Africans disadvantaged by  
 13 apartheid, section 223(j) of the Foreign Assistance Act of  
 14 1961: *Provided further*, That none of the funds appro-  
 15 priated under this heading shall be obligated except  
 16 through the regular notification procedures of the Com-  
 17 mittees on Appropriations.

18 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
 19 DISABILITY FUND

20 For payment to the “Foreign Service Retirement and  
 21 Disability Fund”, as authorized by the Foreign Service  
 22 Act of 1980, \$43,914,000.

23 OPERATING EXPENSES OF THE AGENCY FOR  
 24 INTERNATIONAL DEVELOPMENT

25 For necessary expenses to carry out the provisions  
 26 of section 667, \$465,750,000: *Provided*, That of this

1 amount not more than \$1,475,000 may be made available  
2 to pay for printing costs: *Provided further*, That none of  
3 the funds appropriated by this Act for programs adminis-  
4 tered by the Agency for International Development (AID)  
5 may be used to finance printing costs of any report or  
6 study (except feasibility, design, or evaluation reports or  
7 studies) in excess of \$25,000 without the approval of the  
8 Administrator of the Agency or the Administrator's des-  
9 ignee: *Provided further*, That notwithstanding any other  
10 provision of law, none of the funds appropriated or other-  
11 wise made available by this Act may be made available  
12 for expenses necessary to relocate the Agency for Inter-  
13 national Development, or any part of that agency, to the  
14 building at the Federal Triangle in Washington, District  
15 of Columbia.

16 OPERATING EXPENSES OF THE AGENCY FOR INTER-  
17 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR  
18 GENERAL

19 For necessary expenses to carry out the provisions  
20 of section 667, \$30,200,000, to remain available until Sep-  
21 tember 30, 1997, which sum shall be available for the Of-  
22 fice of the Inspector General of the Agency for Inter-  
23 national Development.



## 1 OTHER BILATERAL ECONOMIC ASSISTANCE

## 2 ECONOMIC SUPPORT FUND

3 For necessary expenses to carry out the provisions  
4 of chapter 4 of part II, \$2,340,000,000, to remain avail-  
5 able until September 30, 1997: *Provided*, That of the  
6 funds appropriated under this heading, not less than  
7 \$1,200,000,000 shall be available only for Israel, which  
8 sum shall be available on a grant basis as a cash transfer  
9 and shall be disbursed within thirty days of enactment of  
10 this Act or by October 31, 1995, whichever is later: *Pro-*  
11 *vided further*, That not less than \$815,000,000 shall be  
12 available only for Egypt, which sum shall be provided on  
13 a grant basis, and of which sum cash transfer assistance  
14 may be provided, with the understanding that Egypt will  
15 undertake significant economic reforms which are addi-  
16 tional to those which were undertaken in previous fiscal  
17 years, and of which not less than \$200,000,000 shall be  
18 provided as Commodity Import Program assistance: *Pro-*  
19 *vided further*, That the Egyptian pound equivalent of  
20 \$85,000,000 generated from funds made available by this  
21 paragraph or generated from funds appropriated under  
22 this heading in prior appropriations Acts, may be made  
23 available to the United States pursuant to the United  
24 States-Egypt Economic, Technical and Related Assistance  
25 Agreements of 1978, for the following activities under

1 such Agreements: the Egyptian pound equivalent of  
2 \$50,000,000 may be made available to replenish the exist-  
3 ing endowment for the American University in Cairo, and  
4 the Egyptian pound equivalent of \$35,000,000 may be  
5 made available for projects and programs, including estab-  
6 lishment of an endowment, which promote the preserva-  
7 tion and restoration of Egyptian antiquities: *Provided fur-*  
8 *ther*, That in exercising the authority to provide cash  
9 transfer assistance for Israel and Egypt, the President  
10 shall ensure that the level of such assistance does not  
11 cause an adverse impact on the total level of non-military  
12 exports from the United States to each such country: *Pro-*  
13 *vided further*, That it is the sense of the Congress that  
14 the recommended levels of assistance for Egypt and Israel  
15 are based in great measure upon their continued participa-  
16 tion in the Camp David Accords and upon the Egyptian-  
17 Israeli peace treaty: *Provided further*, That none of the  
18 funds appropriated under this heading shall be made avail-  
19 able for Zaire.

20 INTERNATIONAL FUND FOR IRELAND

21 For necessary expenses to carry out the provisions  
22 of part I of the Foreign Assistance Act of 1961, up to  
23 \$19,600,000, which shall be available for the United  
24 States contribution to the International Fund for Ireland  
25 and shall be made available in accordance with the provi-  
26 sions of the Anglo-Irish Agreement Support Act of 1986

1 (Public Law 99–415): *Provided*, That such amount shall  
2 be expended at the minimum rate necessary to make time-  
3 ly payment for projects and activities: *Provided further*,  
4 That funds made available under this heading shall re-  
5 main available until September 30, 1997.

6 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC  
7 STATES

8 (a) For necessary expenses to carry out the provisions  
9 of the Foreign Assistance Act of 1961 and the Support  
10 for East European Democracy (SEED) Act of 1989,  
11 \$324,000,000, to remain available until September 30,  
12 1997, which shall be available, notwithstanding any other  
13 provision of law, for economic assistance and for related  
14 programs for Eastern Europe and the Baltic States.

15 (b) Funds appropriated under this heading or in prior  
16 appropriations Acts that are or have been made available  
17 for an Enterprise Fund may be deposited by such Fund  
18 in interest-bearing accounts prior to the Fund's disburse-  
19 ment of such funds for program purposes. The Fund may  
20 retain for such program purposes any interest earned on  
21 such deposits without returning such interest to the Treas-  
22 ury of the United States and without further appropria-  
23 tion by the Congress. Funds made available for Enterprise  
24 Funds shall be expended at the minimum rate necessary  
25 to make timely payment for projects and activities.

1 (c) Funds appropriated under this heading shall be  
2 considered to be economic assistance under the Foreign  
3 Assistance Act of 1961 for purposes of making available  
4 the administrative authorities contained in that Act for  
5 the use of economic assistance.

6 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF  
7 THE FORMER SOVIET UNION

8 (a) For necessary expenses to carry out the provisions  
9 of chapter 11 of part I of the Foreign Assistance Act of  
10 1961 and the FREEDOM Support Act, for assistance for  
11 the new independent states of the former Soviet Union  
12 and for related programs, \$641,000,000, to remain avail-  
13 able until September 30, 1997: *Provided*, That the provi-  
14 sions of 498B(j) of the Foreign Assistance Act of 1961  
15 shall apply to funds appropriated by this paragraph.

16 (b) None of the funds appropriated under this head-  
17 ing shall be transferred to the Government of Russia—

18 (1) unless that Government is making progress  
19 in implementing comprehensive economic reforms  
20 based on market principles, private ownership, nego-  
21 tiating repayment of commercial debt, respect for  
22 commercial contracts, and equitable treatment of  
23 foreign private investment; and

24 (2) if that Government applies or transfers  
25 United States assistance to any entity for the pur-

1       pose of expropriating or seizing ownership or control  
2       of assets, investments, or ventures.

3       (c) Funds may be furnished without regard to sub-  
4       section (b) if the President determines that to do so is  
5       in the national interest.

6       (d) None of the funds appropriated under this head-  
7       ing shall be made available to any government of the new  
8       independent states of the former Soviet Union if that gov-  
9       ernment directs any action in violation of the territorial  
10      integrity or national sovereignty of any other new inde-  
11      pendent state, such as those violations included in the Hel-  
12      sinki Final Act: *Provided*, That such funds may be made  
13      available without regard to the restriction in this sub-  
14      section if the President determines that to do so is in the  
15      national security interest of the United States: *Provided*  
16      *further*, That the restriction of this subsection shall not  
17      apply to the use of such funds for the provision of assist-  
18      ance for purposes of humanitarian, disaster and refugee  
19      relief.

20      (e) None of the funds appropriated under this head-  
21      ing for the new independent states of the former Soviet  
22      Union shall be made available for any state to enhance  
23      its military capability: *Provided*, That this restriction does  
24      not apply to demilitarization or nonproliferation programs.

1 (f) Funds appropriated under this heading shall be  
2 subject to the regular notification procedures of the Com-  
3 mittees on Appropriations.

4 (g) Funds made available in this Act for assistance  
5 to the new independent states of the former Soviet Union  
6 shall be subject to the provisions of section 117 (relating  
7 to environment and natural resources) of the Foreign As-  
8 sistance Act of 1961.

9 (h) Funds appropriated under this heading may be  
10 made available for assistance for Mongolia.

11 (i) Funds made available in this Act for assistance  
12 to the new independent states of the former Soviet Union  
13 shall be provided to the maximum extent feasible through  
14 the private sector, including small- and medium-size busi-  
15 nesses, entrepreneurs, and others with indigenous private  
16 enterprises in the region, intermediary development orga-  
17 nizations committed to private enterprise, and private vol-  
18 untary organizations: *Provided*, That grantees and con-  
19 tractors should, to the maximum extent possible, place in  
20 key staff positions specialists with prior on the ground ex-  
21 pertise in the region of activity and fluency in one of the  
22 local languages.

23 (j) In issuing new task orders, entering into con-  
24 tracts, or making grants, with funds appropriated under  
25 this heading or in prior appropriations Acts, for projects

1 or activities that have as one of their primary purposes  
2 the fostering of private sector development, the Coordina-  
3 tor for United States Assistance to the New Independent  
4 States and the implementing agency shall encourage the  
5 participation of and give significant weight to contractors  
6 and grantees who propose investing a significant amount  
7 of their own resources (including volunteer services and  
8 in-kind contributions) in such projects and activities.

9 (k) Of the funds made available under this heading,  
10 not less than \$225,000,000 shall be made available for  
11 Ukraine, with the understanding that Ukraine will under-  
12 take significant economic reforms which are additional to  
13 those which were undertaken in previous fiscal years, and  
14 of which not less than \$50,000,000 (from this or any other  
15 Act) shall be made available to improve energy self-suffi-  
16 ciency and improve safety at nuclear reactors, and of  
17 which \$2,000,000 should be made available to conduct or  
18 implement an assessment of the energy distribution grid  
19 that provides recommendations leading to increased access  
20 to power by industrial, commercial and residential users,  
21 and of which not less than \$22,000,000 shall be made  
22 available to support the development of small and medium  
23 enterprises, including independent broadcast and print  
24 media.

1       (l) Of the funds made available under this heading,  
2 \$5,000,000 should be made available for a project to  
3 screen, diagnose, and treat victims of breast cancer associ-  
4 ated with the 1985 incident at the Chernobyl reactor in  
5 Ukraine.

6       (m) Of the funds made available by this Act, not less  
7 than \$85,000,000 shall be made available for Armenia.

8       (n) Of the funds made available by this or any other  
9 Act, \$30,000,000 should be made available for Georgia.

10      (o)(1) Effective ninety days after the date of enact-  
11 ment of this Act, none of the funds appropriated under  
12 this heading may be made available for Russia unless the  
13 President determines and certifies in writing to the Com-  
14 mittees on Appropriations that the Government of Russia  
15 has terminated implementation of arrangements to pro-  
16 vide Iran with technical expertise, training, technology, or  
17 equipment necessary to develop a nuclear reactor or relat-  
18 ed nuclear research facilities or programs.

19      (2) Subparagraph (1) shall not apply if the President  
20 determines that making such funds available is important  
21 to the national security interest of the United States. Any  
22 such determination shall cease to be effective six months  
23 after being made unless the President determines that its  
24 continuation is important to the national security interest  
25 of the United States.



1       (p) Of the funds appropriated under this heading,  
2 \$20,000,000 should be provided for hospital partnership  
3 programs, medical assistance to directly reduce the inci-  
4 dence of infectious diseases such as diphtheria or tuber-  
5 culosis, and a program to reduce the adverse impact of  
6 contaminated drinking water.

7       (q) Of the funds appropriated under this heading and  
8 under the heading “Assistance for Eastern Europe and  
9 the Baltic States”, not less than \$12,600,000 shall be  
10 made available for law enforcement training and ex-  
11 changes, and investigative and technical assistance activi-  
12 ties related to international criminal activities.

13       (r) Support should be provided from funds appro-  
14 priated under this heading for a ballot security project to  
15 promote public review by Russian citizens over the conduct  
16 of parliamentary and presidential elections in Russia: *Pro-*  
17 *vided*, That the Secretary of State may waive this provi-  
18 sion with regard to any election upon notification to the  
19 Committees on Appropriations that the Government of  
20 Russia has blocked implementation of a ballot security  
21 project.

22       (s) Of the funds appropriated under this heading, not  
23 less than \$50,000,000 should be provided to the Western  
24 NIS and Central Asian Enterprise Funds: *Provided*, That

1 obligation of these funds shall be consistent with sound  
2 business practices.

3 (t) The President shall establish a Trans-Caucasus  
4 Enterprise Fund to encourage regional peace through eco-  
5 nomic cooperation: *Provided*, That the President shall seek  
6 other bilateral and multilateral investors in the Fund: *Pro-*  
7 *vided further*, That of the funds made available under this  
8 heading, not less than \$15,000,000 shall be made avail-  
9 able for a United States investment in the Trans-Caucasus  
10 Enterprise Fund.

11 (u) Funds appropriated under this heading or in  
12 prior appropriations Acts that are or have been made  
13 available for an Enterprise Fund may be deposited by  
14 such Fund in interest-bearing accounts prior to the dis-  
15 bursement of such funds by the Fund for program pur-  
16 poses. The Fund may retain for such program proposes  
17 any interest earned on such deposits without returning  
18 such interest to the Treasury of the United States and  
19 without further appropriation by the Congress. Funds  
20 made available for Enterprise Funds shall be expended at  
21 the minimum rate necessary to make timely payment for  
22 projects and activities.

23 (v) Section 5421(d)(3)(B) of title 22, United States  
24 Code, is amended by adding at the end thereof the follow-  
25 ing: “: *Provided*, That, as to Enterprise Funds established

1 with respect to more than one host country, such Enter-  
2 prise Fund may, in lieu of the appointment of citizens of  
3 the host countries to its Board of Directors, establish an  
4 advisory council for the host region comprised of citizens  
5 of each of the host countries or establish separate advisory  
6 councils for each of the host countries (hereinafter in this  
7 section referred to as the ‘Advisory Councils’), with which  
8 the Enterprise Fund’s policies and proposed activities and  
9 such host country citizens shall satisfy the experience and  
10 expertise requirements of this clause.”.

11 (w) Notwithstanding any other provision of law, as-  
12 sistance may be provided for the Government of Azer-  
13 baijan for humanitarian purposes, if the President deter-  
14 mines that humanitarian assistance provided in Azer-  
15 baijan through nongovernmental organizations is not ade-  
16 quately addressing the suffering of refugees and internally  
17 displaced persons.

18 INDEPENDENT AGENCY

19 PEACE CORPS

20 For expenses necessary to carry out the provisions  
21 of the Peace Corps Act (75 Stat. 612), \$205,000,000, in-  
22 cluding the purchase of not to exceed five passenger motor  
23 vehicles for administrative purposes for use outside of the  
24 United States: *Provided*, That none of the funds appro-  
25 priated under this heading shall be used to pay for abor-

1 tions: *Provided further*, That funds appropriated under  
2 this heading shall remain available until September 30,  
3 1997.

4 DEPARTMENT OF STATE

5 INTERNATIONAL NARCOTICS CONTROL

6 For necessary expenses to carry out the provisions  
7 of section 481 of the Foreign Assistance Act of 1961,  
8 \$115,000,000: *Provided*, That during fiscal year 1996, the  
9 Department of State may also use the authority of section  
10 608 of the Foreign Assistance Act of 1961, without regard  
11 to its restrictions, to receive non-lethal excess property  
12 from an agency of the United States Government for the  
13 purpose of providing it to a foreign country under chapter  
14 8 of part I of that Act subject to the regular notification  
15 procedures of the Committees on Appropriations.

16 MIGRATION AND REFUGEE ASSISTANCE

17 For expenses, not otherwise provided for, necessary  
18 to enable the Secretary of State to provide, as authorized  
19 by law, a contribution to the International Committee of  
20 the Red Cross, assistance to refugees, including contribu-  
21 tions to the International Organization for Migration and  
22 the United Nations High Commissioner for Refugees, and  
23 other activities to meet refugee and migration needs; sala-  
24 ries and expenses of personnel and dependents as author-  
25 ized by the Foreign Service Act of 1980; allowances as  
26 authorized by sections 5921 through 5925 of title 5,

1 United States Code; purchase and hire of passenger motor  
 2 vehicles; and services as authorized by section 3109 of title  
 3 5, United States Code, \$671,000,000: *Provided*, That not  
 4 more than \$12,000,000 shall be available for administra-  
 5 tive expenses: *Provided further*, That not less than  
 6 \$80,000,000 shall be made available for refugees from the  
 7 former Soviet Union and Eastern Europe and other refu-  
 8 gees resettling in Israel.

9 REFUGEE RESETTLEMENT ASSISTANCE

10 For necessary expenses for the targeted assistance  
 11 program authorized by title IV of the Immigration and  
 12 Nationality Act and section 501 of the Refugee Education  
 13 Assistance Act of 1980 and administered by the Office of  
 14 Refugee Resettlement of the Department of Health and  
 15 Human Services, in addition to amounts otherwise avail-  
 16 able for such purposes, \$5,000,000.

17 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
 18 ASSISTANCE FUND

19 For necessary expenses to carry out the provisions  
 20 of section 2(c) of the Migration and Refugee Assistance  
 21 Act of 1962, as amended (22 U.S.C. 260(c)),  
 22 \$50,000,000, to remain available until expended: *Pro-*  
 23 *vided*, That the funds made available under this heading  
 24 are appropriated notwithstanding the provisions contained  
 25 in section 2(c)(2) of the Migration and Refugee Assistance

1 Act of 1962 which would limit the amount of funds which  
2 could be appropriated for this purpose.

3 ANTI-TERRORISM ASSISTANCE

4 For necessary expenses to carry out the provisions  
5 of chapter 8 of part II of the Foreign Assistance Act of  
6 1961, \$16,000,000.

7 NONPROLIFERATION AND DISARMAMENT FUND

8 For necessary expenses for a “Nonproliferation and  
9 Disarmament Fund”, \$20,000,000, to remain available  
10 until expended, to promote bilateral and multilateral ac-  
11 tivities: *Provided*, That such funds may be used pursuant  
12 to the authorities contained in section 504 of the FREE-  
13 DOM Support Act: *Provided further*, That such funds may  
14 also be used for such countries other than the new inde-  
15 pendent states of the former Soviet Union and inter-  
16 national organizations when it is in the national security  
17 interest of the United States to do so: *Provided further*,  
18 That funds appropriated under this heading may be made  
19 available notwithstanding any other provision of law: *Pro-*  
20 *vided further*, That funds appropriated under this heading  
21 shall be subject to the regular notification procedures of  
22 the Committees on Appropriations.

## 1 TITLE III—MILITARY ASSISTANCE

## 2 FUNDS APPROPRIATED TO THE PRESIDENT

## 3 INTERNATIONAL MILITARY EDUCATION AND TRAINING

4 For necessary expenses to carry out the provisions  
5 of section 541 of the Foreign Assistance Act of 1961,  
6 \$39,000,000: *Provided*, That up to \$100,000 of the funds  
7 appropriated under this heading may be made available  
8 for grant financed military education and training for any  
9 high income country on the condition that that country  
10 agrees to fund from its own resources the transportation  
11 cost and living allowances of its students: *Provided further*,  
12 That the civilian personnel for whom military education  
13 and training may be provided under this heading may also  
14 include members of national legislatures who are respon-  
15 sible for the oversight and management of the military,  
16 and may also include individuals who are not members of  
17 a government: *Provided further*, That none of the funds  
18 appropriated under this heading shall be available for  
19 Zaire and Guatemala: *Provided further*, That funds appro-  
20 priated under this heading for grant financed military  
21 education and training for Indonesia may only be available  
22 for expanded military education and training.

## 23 FOREIGN MILITARY FINANCING PROGRAM

24 For expenses necessary for grants to enable the  
25 President to carry out the provisions of section 23 of the  
26 Arms Export Control Act, \$3,208,390,000: *Provided*, That

1 of the funds appropriated by this paragraph not less than  
2 \$1,800,000,000 shall be available for grants only for Is-  
3 rael, and not less than \$1,300,000,000 shall be available  
4 for grants only for Egypt: *Provided further*, That the  
5 funds appropriated by this paragraph for Israel shall be  
6 disbursed within thirty days of enactment of this Act or  
7 by October 31, 1995, whichever is later: *Provided further*,  
8 That to the extent that the Government of Israel requests  
9 that funds be used for such purposes, grants made avail-  
10 able for Israel by this paragraph shall, as agreed by Israel  
11 and the United States, be available for advanced weapons  
12 systems, of which not less than \$475,000,000 shall be  
13 available for the procurement in Israel of defense articles  
14 and defense services, including research and development:  
15 *Provided further*, That funds made available under this  
16 paragraph shall be nonrepayable notwithstanding any re-  
17 quirement in section 23 of the Arms Export Control Act:  
18 *Provided further*, That, for the purpose only of providing  
19 support for the Warsaw Initiative Program, of the funds  
20 appropriated by this Act under the headings “Assistance  
21 for Eastern Europe and the Baltic States” and “Assist-  
22 ance for the New Independent States of the Former Soviet  
23 Union”, up to a total of \$20,000,000 may be transferred,  
24 notwithstanding any other provision of law, to the funds  
25 appropriated under this paragraph: *Provided further*, That



1 none of the funds made available under this heading shall  
2 be available for any non-NATO country participating in  
3 the Partnership for Peace Program except through the  
4 regular notification procedures of the Committees on Ap-  
5 propriations.

6 For the cost, as defined in section 502 of the Con-  
7 gressional Budget Act of 1974, of direct loans authorized  
8 by section 23 of the Arms Export Control Act as follows:  
9 cost of direct loans, \$64,400,000: *Provided*, That these  
10 funds are available to subsidize gross obligations for the  
11 principal amount of direct loans of not to exceed  
12 \$544,000,000: *Provided further*, That the rate of interest  
13 charged on such loans shall be not less than the current  
14 average market yield on outstanding marketable obliga-  
15 tions of the United States of comparable maturities: *Pro-*  
16 *vided further*, That funds appropriated under this heading  
17 shall be made available for Greece and Turkey only on  
18 a loan basis, and the principal amount of direct loans for  
19 each country shall not exceed the following: \$224,000,000  
20 only for Greece and \$320,000,000 only for Turkey.

21 None of the funds made available under this heading  
22 shall be available to finance the procurement of defense  
23 articles, defense services, or design and construction serv-  
24 ices that are not sold by the United States Government  
25 under the Arms Export Control Act unless the foreign

1 country proposing to make such procurements has first  
2 signed an agreement with the United States Government  
3 specifying the conditions under which such procurements  
4 may be financed with such funds: *Provided*, That all coun-  
5 try and funding level increases in allocations shall be sub-  
6 mitted through the regular notification procedures of sec-  
7 tion 515 of this Act: *Provided further*, That funds made  
8 available under this heading shall be obligated upon appor-  
9 tionment in accordance with paragraph (5)(C) of title 31,  
10 United States Code, section 1501(a): *Provided further*,  
11 That none of the funds appropriated under this heading  
12 shall be available for Zaire, Sudan, Peru, Liberia, and  
13 Guatemala: *Provided further*, That none of the funds ap-  
14 propriated or otherwise made available for use under this  
15 heading may be made available for Colombia or Bolivia  
16 until the Secretary of State certifies that such funds will  
17 be used by such country primarily for counternarcotics ac-  
18 tivities: *Provided further*, That funds made available under  
19 this heading may be used, notwithstanding any other pro-  
20 vision of law, for demining activities, and may include ac-  
21 tivities implemented through nongovernmental and inter-  
22 national organizations: *Provided further*, That not more  
23 than \$100,000,000 of the funds made available under this  
24 heading shall be available for use in financing the procure-  
25 ment of defense articles, defense services, or design and

1 construction services that are not sold by the United  
2 States Government under the Arms Export Control Act  
3 to countries other than Israel and Egypt: *Provided further,*  
4 That only those countries for which assistance was justi-  
5 fied for the “Foreign Military Sales Financing Program”  
6 in the fiscal year 1989 congressional presentation for secu-  
7 rity assistance programs may utilize funds made available  
8 under this heading for procurement of defense articles, de-  
9 fense services or design and construction services that are  
10 not sold by the United States Government under the Arms  
11 Export Control Act: *Provided further,* That, subject to the  
12 regular notification procedures of the Committees on Ap-  
13 propriations, funds made available under this heading for  
14 the cost of direct loans may also be used to supplement  
15 the funds available under this heading for grants, and  
16 funds made available under this heading for grants may  
17 also be used to supplement the funds available under this  
18 heading for the cost of direct loans: *Provided further,* That  
19 funds appropriated under this heading shall be expended  
20 at the minimum rate necessary to make timely payment  
21 for defense articles and services: *Provided further,* That  
22 the Department of Defense shall conduct during the cur-  
23 rent fiscal year nonreimbursable audits of private firms  
24 whose contracts are made directly with foreign govern-  
25 ments and are financed with funds made available under

1 this heading (as well as subcontractors thereunder) as re-  
2 quested by the Defense Security Assistance Agency: *Pro-*  
3 *vided further*, That not more than \$23,250,000 of the  
4 funds appropriated under this heading may be obligated  
5 for necessary expenses, including the purchase of pas-  
6 senger motor vehicles for replacement only for use outside  
7 of the United States, for the general costs of administer-  
8 ing military assistance and sales: *Provided further*, That  
9 not more than \$355,000,000 of funds realized pursuant  
10 to section 21(e)(1)(A) of the Arms Export Control Act  
11 may be obligated for expenses incurred by the Department  
12 of Defense during fiscal year 1996 pursuant to section  
13 43(b) of the Arms Export Control Act, except that this  
14 limitation may be exceeded only through the regular notifi-  
15 cation procedures of the Committees on Appropriations.

16 PEACEKEEPING OPERATIONS

17 For necessary expenses to carry out the provisions  
18 of section 551 of the Foreign Assistance Act of 1961,  
19 \$70,000,000: *Provided*, That none of the funds appro-  
20 priated under this paragraph shall be obligated or ex-  
21 pended except as provided through the regular notification  
22 procedures of the Committees on Appropriations.

1           TITLE IV—MULTILATERAL ECONOMIC  
2                           ASSISTANCE  
3           FUNDS APPROPRIATED TO THE PRESIDENT  
4           INTERNATIONAL FINANCIAL INSTITUTIONS  
5       CONTRIBUTION TO THE INTERNATIONAL BANK FOR  
6           RECONSTRUCTION AND DEVELOPMENT

7       For payment to the International Bank for Recon-  
8   struction and Development by the Secretary of the Treas-  
9   ury, for the United States share of the paid-in share por-  
10   tion of the increases in capital stock for the General Cap-  
11   ital Increase, \$28,189,963, to remain available until ex-  
12   pended: *Provided*, That not more than twenty-one days  
13   prior to the obligation of each such sum, the Secretary  
14   shall submit a certification to the Committees on Appro-  
15   priations that the Bank has not approved any loans to  
16   Iran since October 1, 1994, or the President of the United  
17   States certifies that withholding of these funds is contrary  
18   to the national interest of the United States.

19       For payment to the International Bank for Recon-  
20   struction and Development by the Secretary of the Treas-  
21   ury, for the United States contribution to the Global Envi-  
22   ronment Facility (GEF), \$35,000,000, to remain available  
23   until September 30, 1997.

24       LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

25       The United States Governor of the International  
26   Bank for Reconstruction and Development may subscribe

1 without fiscal year limitation to the callable capital portion  
2 of the United States share of increases in capital stock  
3 in an amount not to exceed \$911,475,013.

4 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
5 ASSOCIATION

6 For payment to the International Development Asso-  
7 ciation by the Secretary of the Treasury, \$700,000,000,  
8 for the United States contribution to the tenth replenish-  
9 ment, to remain available until expended.

10 CONTRIBUTION TO THE INTERNATIONAL FINANCE  
11 CORPORATION

12 For payment to the International Finance Corpora-  
13 tion by the Secretary of the Treasury, \$60,900,000, for  
14 the United States share of the increase in subscriptions  
15 to capital stock, to remain available until expended: *Pro-*  
16 *vided*, That of the amount appropriated under this head-  
17 ing not more than \$5,269,000 may be expended for the  
18 purchase of such stock in fiscal year 1996.

19 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT  
20 BANK

21 For payment to the Inter-American Development  
22 Bank by the Secretary of the Treasury, for the United  
23 States share of the paid-in share portion of the increase  
24 in capital stock, \$25,952,110, and for the United States  
25 share of the increase in the resources of the Fund for Spe-

1 cial Operations, \$10,000,000, to remain available until ex-  
2 pended.

3       LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4       The United States Governor of the Inter-American  
5 Development Bank may subscribe without fiscal year limi-  
6 tation to the callable capital portion of the United States  
7 share of such capital stock in an amount not to exceed  
8 \$1,523,767,142.

9       CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS

10                   MULTILATERAL INVESTMENT FUND

11       For payment to the Enterprise for the Americas Mul-  
12 tilateral Investment Fund by the Secretary of the Treas-  
13 ury, for the United States contribution to the Fund to  
14 be administered by the Inter-American Development  
15 Bank, \$53,750,000 to remain available until expended.

16       CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

17       For payment to the Asian Development Bank by the  
18 Secretary of the Treasury for the United States share of  
19 the paid-in portion of the increase in capital stock,  
20 \$13,221,596, to remain available until expended.

21       LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

22       The United States Governor of the Asian Develop-  
23 ment Bank may subscribe without fiscal year limitation  
24 to the callable capital portion of the United States share  
25 of such capital stock in an amount not to exceed  
26 \$647,858,204.

1       CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

2       For the United States contribution by the Secretary  
3 of the Treasury to the increases in resources of the Asian  
4 Development Fund, as authorized by the Asian Devel-  
5 opment Bank Act, as amended (Public Law 89–369),  
6 \$100,000,000, to remain available until expended.

7       CONTRIBUTION TO THE EUROPEAN BANK FOR  
8       RECONSTRUCTION AND DEVELOPMENT

9       For payment to the European Bank for Reconstruct-  
10 tion and Development by the Secretary of the Treasury,  
11 \$70,000,000, for the United States share of the paid-in  
12 share portion of the initial capital subscription, to remain  
13 available until expended: *Provided*, That of the amount ap-  
14 propriated under this heading not more than \$54,600,000  
15 may be expended for the purchase of such stock in fiscal  
16 year 1996.

17      LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

18      The United States Governor of the European Bank  
19 for Reconstruction and Development may subscribe with-  
20 out fiscal year limitation to the callable capital portion of  
21 the United States share of such capital stock in an amount  
22 not to exceed \$163,333,333.

23      NORTH AMERICAN DEVELOPMENT BANK

24      For payment to the North American Development  
25 Bank by the Secretary of the Treasury, for the United



1 States share of the paid-in portion of the capital stock,  
2 \$56,250,000, to remain available until expended.

3       LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4       The United States Governor of the North American  
5 Development Bank may subscribe without fiscal year limi-  
6 tation to the callable capital portion of the United States  
7 share of the capital stock of the North American Develop-  
8 ment Bank in an amount not to exceed \$318,750,000.

9       INTERNATIONAL ORGANIZATIONS AND PROGRAMS

10       For necessary expenses to carry out the provisions  
11 of section 301 of the Foreign Assistance Act of 1961, and  
12 of section 2 of the United Nations Environment Program  
13 Participation Act of 1973, \$285,000,000: *Provided*, That  
14 none of the funds appropriated under this heading shall  
15 be made available for the United Nations Fund for  
16 Science and Technology: *Provided further*, That funds ap-  
17 propriated under this heading may be made available for  
18 the International Atomic Energy Agency only if the Sec-  
19 retary of State determines (and so reports to the Con-  
20 gress) that Israel is not being denied its right to partici-  
21 pate in the activities of that Agency: *Provided further*,  
22 That none of the funds appropriated under this heading  
23 that are made available to the United Nations Population  
24 Fund (UNFPA) shall be made available for activities in  
25 the People's Republic of China: *Provided further*, That not  
26 more than \$30,000,000 of the funds appropriated under

1 this heading may be made available to the UNFPA: *Pro-*  
2 *vided further*, That not more than one-half of this amount  
3 may be provided to UNFPA before March 1, 1996, and  
4 that no later than February 15, 1996, the Secretary of  
5 State shall submit a report to the Committees on Appro-  
6 priations indicating the amount UNFPA is budgeting for  
7 the People's Republic of China in 1996: *Provided further*,  
8 That any amount UNFPA plans to spend in the People's  
9 Republic of China in 1996 above \$7,000,000, shall be de-  
10 ducted from the amount of funds provided to UNFPA  
11 after March 1, 1996 pursuant to the previous provisos:  
12 *Provided further*, That with respect to any funds appro-  
13 priated under this heading that are made available to  
14 UNFPA, UNFPA shall be required to maintain such  
15 funds in a separate account and not commingle them with  
16 any other funds: *Provided further*, That funds may be  
17 made available to the Korean Peninsula Energy Develop-  
18 ment Organization (KEDO) for administrative expenses  
19 and heavy fuel oil costs associated with the Agreed Frame-  
20 work: *Provided further*, That no funds may be provided  
21 for KEDO for funding for administrative expenses and  
22 heavy fuel oil costs beyond the total amount included for  
23 KEDO in the fiscal year 1996 congressional presentation:  
24 *Provided further*, That no funds may be made available  
25 under this Act to KEDO unless the President determines

1 and certifies in writing to the Committees on Appropria-  
2 tions that (a) in accordance with section 1 of the Agreed  
3 Framework, KEDO has designated a Republic of Korea  
4 company, corporation or entity for the purpose of nego-  
5 tiating a prime contract to carry out construction of the  
6 light water reactors provided for in the Agreed Frame-  
7 work; and (b) the Democratic People's Republic of Korea  
8 is maintaining the freeze on its nuclear facilities as re-  
9 quired in the Agreed Framework; and (c) the United  
10 States is taking steps to assure that progress is made on  
11 (1) the North-South dialogue, including efforts to reduce  
12 barriers to trade and investment, such as removing restric-  
13 tions on travel, telecommunications services and financial  
14 transactions; and (2) implementation of the January 1,  
15 1992, Joint Declaration on the Denuclearization of the  
16 Korean Peninsula: *Provided further*, That a report on the  
17 specific efforts with regard to subsections (a), (b) and (c)  
18 of the preceding proviso shall be submitted by the Presi-  
19 dent to the Committees on Appropriations six months  
20 after the date of enactment of this Act, and every six  
21 months thereafter.

## 22 TITLE V—GENERAL PROVISIONS

### 23 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

24 SEC. 501. Except for the appropriations entitled  
25 “International Disaster Assistance”, and “United States

1 Emergency Refugee and Migration Assistance Fund”, not  
2 more than 15 per centum of any appropriation item made  
3 available by this Act shall be obligated during the last  
4 month of availability.

5 PROHIBITION OF BILATERAL FUNDING FOR  
6 INTERNATIONAL FINANCIAL INSTITUTIONS

7 SEC. 502. None of the funds contained in title II of  
8 this Act may be used to carry out the provisions of section  
9 209(d) of the Foreign Assistance Act of 1961.

10 LIMITATION ON RESIDENCE EXPENSES

11 SEC. 503. Of the funds appropriated or made avail-  
12 able pursuant to this Act, not to exceed \$126,500 shall  
13 be for official residence expenses of the Agency for Inter-  
14 national Development during the current fiscal year: *Pro-*  
15 *vided*, That appropriate steps shall be taken to assure  
16 that, to the maximum extent possible, United States-  
17 owned foreign currencies are utilized in lieu of dollars.

18 LIMITATION ON EXPENSES

19 SEC. 504. Of the funds appropriated or made avail-  
20 able pursuant to this Act, not to exceed \$5,000 shall be  
21 for entertainment expenses of the Agency for International  
22 Development during the current fiscal year.

23 LIMITATION ON REPRESENTATIONAL ALLOWANCES

24 SEC. 505. Of the funds appropriated or made avail-  
25 able pursuant to this Act, not to exceed \$95,000 shall be  
26 available for representation allowances for the Agency for

1 International Development during the current fiscal year:  
 2 *Provided*, That appropriate steps shall be taken to assure  
 3 that, to the maximum extent possible, United States-  
 4 owned foreign currencies are utilized in lieu of dollars:  
 5 *Provided further*, That of the funds made available by this  
 6 Act for general costs of administering military assistance  
 7 and sales under the heading “Foreign Military Financing  
 8 Program”, not to exceed \$2,000 shall be available for en-  
 9 tertainment expenses and not to exceed \$50,000 shall be  
 10 available for representation allowances: *Provided further*,  
 11 That of the funds made available by this Act under the  
 12 heading “International Military Education and Training”,  
 13 not to exceed \$50,000 shall be available for entertainment  
 14 allowances: *Provided further*, That of the funds made  
 15 available by this Act for the Inter-American Foundation,  
 16 not to exceed \$2,000 shall be available for entertainment  
 17 and representation allowances: *Provided further*, That of  
 18 the funds made available by this Act for the Peace Corps,  
 19 not to exceed a total of \$4,000 shall be available for enter-  
 20 tainment expenses: *Provided further*, That of the funds  
 21 made available by this Act under the heading “Trade and  
 22 Development Agency”, not to exceed \$2,000 shall be avail-  
 23 able for representation and entertainment allowances.

24 PROHIBITION ON FINANCING NUCLEAR GOODS

25 SEC. 506. None of the funds appropriated or made  
 26 available (other than funds for “International Organiza-

1 tions and Programs”) pursuant to this Act, for carrying  
 2 out the Foreign Assistance Act of 1961, may be used, ex-  
 3 cept for purposes of nuclear safety, to finance the export  
 4 of nuclear equipment, fuel, or technology.

5 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
 6 COUNTRIES

7 SEC. 507. None of the funds appropriated or other-  
 8 wise made available pursuant to this Act shall be obligated  
 9 or expended to finance directly any assistance or repara-  
 10 tions to Cuba, Iraq, Libya, North Korea, Iran, Serbia,  
 11 Sudan, or Syria: *Provided*, That for purposes of this sec-  
 12 tion, the prohibition on obligations or expenditures shall  
 13 include direct loans, credits, insurance and guarantees of  
 14 the Export-Import Bank or its agents.

15 MILITARY COUPS

16 SEC. 508. None of the funds appropriated or other-  
 17 wise made available pursuant to this Act shall be obligated  
 18 or expended to finance directly any assistance to any coun-  
 19 try whose duly elected Head of Government is deposed by  
 20 military coup or decree: *Provided*, That assistance may be  
 21 resumed to such country if the President determines and  
 22 reports to the Committees on Appropriations that subse-  
 23 quent to the termination of assistance a democratically  
 24 elected government has taken office.

## 1 TRANSFERS BETWEEN ACCOUNTS

2 SEC. 509. None of the funds made available by this  
3 Act may be obligated under an appropriation account to  
4 which they were not appropriated, except for transfers  
5 specifically provided for in this Act, unless the President,  
6 prior to the exercise of any authority contained in the For-  
7 eign Assistance Act of 1961 to transfer funds, consults  
8 with and provides a written policy justification to the  
9 Committees on Appropriations of the House of Represent-  
10 atives and the Senate: *Provided*, That the exercise of such  
11 authority shall be subject to the regular notification proce-  
12 dures of the Committees on Appropriations, except for  
13 transfers specifically referred to in this Act.

## 14 DEOBLIGATION/REOBLIGATION AUTHORITY

15 SEC. 510. (a) Amounts certified pursuant to section  
16 1311 of the Supplemental Appropriations Act, 1955, as  
17 having been obligated against appropriations heretofore  
18 made under the authority of the Foreign Assistance Act  
19 of 1961 for the same general purpose as any of the head-  
20 ings under title II of this Act are, if deobligated, hereby  
21 continued available for the same period as the respective  
22 appropriations under such headings or until September  
23 30, 1996, whichever is later, and for the same general pur-  
24 pose, and for countries within the same region as origi-  
25 nally obligated: *Provided*, That the Appropriations Com-  
26 mittees of both Houses of the Congress are notified fifteen

1 days in advance of the deobligation and reobligation of  
2 such funds in accordance with regular notification proce-  
3 dures of the Committees on Appropriations.

4 (b) Obligated balances of funds appropriated to carry  
5 out section 23 of the Arms Export Control Act as of the  
6 end of the fiscal year immediately preceding the current  
7 fiscal year are, if deobligated, hereby continued available  
8 during the current fiscal year for the same purpose under  
9 any authority applicable to such appropriations under this  
10 Act: *Provided*, That the authority of this subsection may  
11 not be used in fiscal year 1996.

12 AVAILABILITY OF FUNDS

13 SEC. 511. No part of any appropriation contained in  
14 this Act shall remain available for obligation after the ex-  
15 piration of the current fiscal year unless expressly so pro-  
16 vided in this Act: *Provided*, That funds appropriated for  
17 the purposes of chapters 1, 8 and 11 of part I, section  
18 667, and chapter 4 of part II of the Foreign Assistance  
19 Act of 1961, as amended, and funds provided under the  
20 heading “Assistance for Eastern Europe and the Baltic  
21 States”, shall remain available until expended if such  
22 funds are initially obligated before the expiration of their  
23 respective periods of availability contained in this Act:  
24 *Provided further*, That, notwithstanding any other provi-  
25 sion of this Act, any funds made available for the purposes  
26 of chapter 1 of part I and chapter 4 of part II of the



1 Foreign Assistance Act of 1961 which are allocated or ob-  
2 ligated for cash disbursements in order to address balance  
3 of payments or economic policy reform objectives, shall re-  
4 main available until expended: *Provided further*, That the  
5 report required by section 653(a) of the Foreign Assist-  
6 ance Act of 1961 shall designate for each country, to the  
7 extent known at the time of submission of such report,  
8 those funds allocated for cash disbursement for balance  
9 of payment and economic policy reform purposes.

10 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

11 SEC. 512. No part of any appropriation contained in  
12 this Act shall be used to furnish assistance to any country  
13 which is in default during a period in excess of one cal-  
14 endar year in payment to the United States of principal  
15 or interest on any loan made to such country by the  
16 United States pursuant to a program for which funds are  
17 appropriated under this Act: *Provided*, That this section  
18 and section 620(q) of the Foreign Assistance Act of 1961  
19 shall not apply to funds made available in this Act or dur-  
20 ing the current fiscal year for Nicaragua, and for any nar-  
21 cotics-related assistance for Colombia, Bolivia, and Peru  
22 authorized by the Foreign Assistance Act of 1961 or the  
23 Arms Export Control Act.

24 COMMERCE AND TRADE

25 SEC. 513. (a) None of the funds appropriated or  
26 made available pursuant to this Act for direct assistance

1 and none of the funds otherwise made available pursuant  
2 to this Act to the Export-Import Bank and the Overseas  
3 Private Investment Corporation shall be obligated or ex-  
4 pended to finance any loan, any assistance or any other  
5 financial commitments for establishing or expanding pro-  
6 duction of any commodity for export by any country other  
7 than the United States, if the commodity is likely to be  
8 in surplus on world markets at the time the resulting pro-  
9 ductive capacity is expected to become operative and if the  
10 assistance will cause substantial injury to United States  
11 producers of the same, similar, or competing commodity:  
12 *Provided*, That such prohibition shall not apply to the Ex-  
13 port-Import Bank if in the judgment of its Board of Direc-  
14 tors the benefits to industry and employment in the  
15 United States are likely to outweigh the injury to United  
16 States producers of the same, similar, or competing com-  
17 modity, and the Chairman of the Board so notifies the  
18 Committees on Appropriations.

19 (b) None of the funds appropriated by this or any  
20 other Act to carry out chapter 1 of part I of the Foreign  
21 Assistance Act of 1961 shall be available for any testing  
22 or breeding feasibility study, variety improvement or intro-  
23 duction, consultancy, publication, conference, or training  
24 in connection with the growth or production in a foreign  
25 country of an agricultural commodity for export which

1 would compete with a similar commodity grown or pro-  
2 duced in the United States: *Provided*, That this subsection  
3 shall not prohibit—

4 (1) activities designed to increase food security  
5 in developing countries where such activities will not  
6 have a significant impact in the export of agricul-  
7 tural commodities of the United States; or

8 (2) research activities intended primarily to  
9 benefit American producers.

10 SURPLUS COMMODITIES

11 SEC. 514. The Secretary of the Treasury shall in-  
12 struct the United States Executive Directors of the Inter-  
13 national Bank for Reconstruction and Development, the  
14 International Development Association, the International  
15 Finance Corporation, the Inter-American Development  
16 Bank, the International Monetary Fund, the Asian Devel-  
17 opment Bank, the Inter-American Investment Corpora-  
18 tion, the North American Development Bank, the Euro-  
19 pean Bank for Reconstruction and Development, the Afri-  
20 can Development Bank, and the African Development  
21 Fund to use the voice and vote of the United States to  
22 oppose any assistance by these institutions, using funds  
23 appropriated or made available pursuant to this Act, for  
24 the production or extraction of any commodity or mineral  
25 for export, if it is in surplus on world markets and if the

1 assistance will cause substantial injury to United States  
2 producers of the same, similar, or competing commodity.

3 NOTIFICATION REQUIREMENTS

4 SEC. 515. For the purposes of providing the Execu-  
5 tive Branch with the necessary administrative flexibility,  
6 none of the funds made available under this Act for “De-  
7 velopment Assistance”, “International organizations and  
8 programs”, “Trade and Development Agency”, “Inter-  
9 national narcotics control”, “Assistance for Eastern Eu-  
10 rope and the Baltic States”, “Assistance for the New  
11 Independent States of the Former Soviet Union”, “Eco-  
12 nomic Support Fund”, “Peacekeeping operations”, “Oper-  
13 ating expenses of the Agency for International Develop-  
14 ment”, “Operating expenses of the Agency for Inter-  
15 national Development Office of Inspector General”, “Non-  
16 proliferation and Disarmament Fund”, “Anti-terrorism  
17 assistance”, “Foreign Military Financing Program”,  
18 “International military education and training”, “Inter-  
19 American Foundation”, “African Development Founda-  
20 tion”, “Peace Corps”, “Migration and refugee assist-  
21 ance”, shall be available for obligation for activities, pro-  
22 grams, projects, type of materiel assistance, countries, or  
23 other operations not justified or in excess of the amount  
24 justified to the Appropriations Committees for obligation  
25 under any of these specific headings unless the Appropria-  
26 tions Committees of both Houses of Congress are pre-

1 viously notified fifteen days in advance: *Provided*, That the  
2 President shall not enter into any commitment of funds  
3 appropriated for the purposes of section 23 of the Arms  
4 Export Control Act for the provision of major defense  
5 equipment, other than conventional ammunition, or other  
6 major defense items defined to be aircraft, ships, missiles,  
7 or combat vehicles, not previously justified to Congress or  
8 10 per centum in excess of the quantities justified to Con-  
9 gress unless the Committees on Appropriations are noti-  
10 fied fifteen days in advance of such commitment: *Provided*  
11 *further*, That this section shall not apply to any  
12 reprogramming for an activity, program, or project under  
13 chapter 1 of part I of the Foreign Assistance Act of 1961  
14 of less than 20 per centum of the amount previously justi-  
15 fied to the Congress for obligation for such activity, pro-  
16 gram, or project for the current fiscal year: *Provided fur-*  
17 *ther*, That the requirements of this section or any similar  
18 provision of this Act or any prior Act requiring notification  
19 in accordance with the regular notification procedures of  
20 the Committees on Appropriations may be waived if fail-  
21 ure to do so would pose a substantial risk to human health  
22 or welfare: *Provided further*, That in case of any such  
23 waiver, notification to the Congress, or the appropriate  
24 congressional committees, shall be provided as early as  
25 practicable, but in no event later than three days after

1 taking the action to which such notification requirement  
2 was applicable, in the context of the circumstances neces-  
3 sitating such waiver: *Provided further*, That any notifica-  
4 tion provided pursuant to such a waiver shall contain an  
5 explanation of the emergency circumstances.

6 Drawdowns made pursuant to section 506(a)(2) of  
7 the Foreign Assistance Act of 1961 shall be subject to the  
8 regular notification procedures of the Committees on Ap-  
9 propriations.

10 LIMITATION ON AVAILABILITY OF FUNDS FOR

11 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

12 SEC. 516. Notwithstanding any other provision of law  
13 or of this Act, none of the funds provided for “Inter-  
14 national Organizations and Programs” shall be available  
15 for the United States proportionate share, in accordance  
16 with section 307(c) of the Foreign Assistance Act of 1961,  
17 for any programs identified in section 307, or for Libya,  
18 Iran, or, at the discretion of the President, Communist  
19 countries listed in section 620(f) of the Foreign Assistance  
20 Act of 1961, as amended: *Provided*, That, subject to the  
21 regular notification procedures of the Committees on Ap-  
22 propriations, funds appropriated under this Act or any  
23 previously enacted Act making appropriations for foreign  
24 operations, export financing, and related programs, which  
25 are returned or not made available for organizations and  
26 programs because of the implementation of this section

1 or any similar provision of law, shall remain available for  
2 obligation through September 30, 1997.

3 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

4 SEC. 517. The Congress finds that progress on the  
5 peace process in the Middle East is vitally important to  
6 United States security interests in the region. The Con-  
7 gress recognizes that, in fulfilling its obligations under the  
8 Treaty of Peace Between the Arab Republic of Egypt and  
9 the State of Israel, done at Washington on March 26,  
10 1979, Israel incurred severe economic burdens. Further-  
11 more, the Congress recognizes that an economically and  
12 militarily secure Israel serves the security interests of the  
13 United States, for a secure Israel is an Israel which has  
14 the incentive and confidence to continue pursuing the  
15 peace process. Therefore, the Congress declares that, sub-  
16 ject to the availability of appropriations, it is the policy  
17 and the intention of the United States that the funds pro-  
18 vided in annual appropriations for the Economic Support  
19 Fund which are allocated to Israel shall not be less than  
20 the annual debt repayment (interest and principal) from  
21 Israel to the United States Government in recognition that  
22 such a principle serves United States interests in the re-  
23 gion.

1           PROHIBITION ON FUNDING FOR ABORTIONS AND  
2                           INVOLUNTARY STERILIZATION

3           SEC. 518. None of the funds made available to carry  
4 out part I of the Foreign Assistance Act of 1961, as  
5 amended, may be used to pay for the performance of abor-  
6 tions as a method of family planning or to motivate or  
7 coerce any person to practice abortions. None of the funds  
8 made available to carry out part I of the Foreign Assist-  
9 ance Act of 1961, as amended, may be used to pay for  
10 the performance of involuntary sterilization as a method  
11 of family planning or to coerce or provide any financial  
12 incentive to any person to undergo sterilizations. None of  
13 the funds made available to carry out part I of the Foreign  
14 Assistance Act of 1961, as amended, may be used to pay  
15 for any biomedical research which relates in whole or in  
16 part, to methods of, or the performance of, abortions or  
17 involuntary sterilization as a means of family planning.  
18 None of the funds made available to carry out part I of  
19 the Foreign Assistance Act of 1961, as amended, may be  
20 obligated or expended for any country or organization if  
21 the President certifies that the use of these funds by any  
22 such country or organization would violate any of the  
23 above provisions related to abortions and involuntary steri-  
24 lizations: *Provided*, That none of the funds made available



1 under this Act may be used to lobby for or against abor-  
2 tion.

3 PROHIBITION ON FUNDING FOR ABORTION

4 SEC. 518A. (a) IN GENERAL.—(1) Notwithstanding  
5 any other provision of this Act or other law, none of the  
6 funds appropriated by this Act for population assistance  
7 activities may be made available for any foreign private,  
8 nongovernmental, or multilateral organization until the or-  
9 ganization certifies that it will not during the period for  
10 which the funds are made available, perform abortions in  
11 any foreign country, except where the life of the mother  
12 would be endangered if the fetus were carried to term or  
13 in cases of forcible rape or incest.

14 (2) Paragraph (1) may not be construed to apply to  
15 the treatment of injuries or illnesses caused by legal or  
16 illegal abortions or to assistance provided directly to the  
17 government of a country.

18 (b) LOBBYING ACTIVITIES.—(1) Notwithstanding  
19 any other provision of this Act or other law, none of the  
20 funds appropriated by this Act for population assistance  
21 activities may be made available for any foreign private,  
22 nongovernmental, or multilateral organization until the or-  
23 ganization certifies that it will not during the period for  
24 which the funds are made available, violate the laws of  
25 any foreign country concerning the circumstances under  
26 which abortion is permitted, regulated, or prohibited.

1       (2) Notwithstanding any other provision of this Act,  
2 paragraph (1) shall not apply to activities in opposition  
3 to coercive abortion or involuntary sterilization.

4       (c) Subsections (a) and (b) apply to funds made avail-  
5 able for a foreign organization either directly or as a sub-  
6 contractor or sub-grantee, and the required certifications  
7 apply to activities in which the organization engages either  
8 directly or through a subcontractor or sub-grantee.

9       (d) COERCIVE POPULATION CONTROL METHODS.—  
10 Notwithstanding any other provision of this Act or other  
11 law, none of the funds appropriated by this Act may be  
12 made available for the United Nations Population Fund  
13 (UNFPA), unless the President certifies to the appro-  
14 priate congressional committees that (1) the United Na-  
15 tions Population Fund will terminate all family planning  
16 activities in the People’s Republic of China no later than  
17 March 1, 1996; or (2) during the 12 months preceding  
18 such certification, there have been no abortions as the re-  
19 sult of coercion associated with the family planning poli-  
20 cies of the national government or other governmental en-  
21 tities within the People’s Republic of China. As used in  
22 this section the term “coercion” includes physical duress  
23 or abuse, destruction or confiscation of property, loss of  
24 means of livelihood, or severe psychological pressure.

## 1 REPORTING REQUIREMENT

2 SEC. 519. The President shall submit to the Commit-  
3 tees on Appropriations the reports required by section  
4 25(a)(1) of the Arms Export Control Act.

## 5 SPECIAL NOTIFICATION REQUIREMENTS

6 SEC. 520. None of the funds appropriated in this Act  
7 shall be obligated or expended for Colombia, Dominican  
8 Republic, Guatemala, Haiti, Liberia, Nicaragua, Peru,  
9 Russia, Sudan, or Zaire except as provided through the  
10 regular notification procedures of the Committees on Ap-  
11 propriations: *Provided*, That this section shall not apply  
12 to funds appropriated by this Act to carry out the provi-  
13 sions of chapter 1 of part I of the Foreign Assistance Act  
14 of 1961 that are made available for Nicaragua.

## 15 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

16 SEC. 521. For the purpose of this Act, “program,  
17 project, and activity” shall be defined at the Appropria-  
18 tions Act account level and shall include all Appropriations  
19 and Authorizations Acts earmarks, ceilings, and limita-  
20 tions with the exception that for the following accounts:  
21 Economic Support Fund and Foreign Military Financing  
22 Program, “program, project, and activity” shall also be  
23 considered to include country, regional, and central pro-  
24 gram level funding within each such account; for the devel-  
25 opment assistance accounts of the Agency for Inter-  
26 national Development “program, project, and activity”

1 shall also be considered to include central program level  
2 funding, either as (1) justified to the Congress, or (2) allo-  
3 cated by the executive branch in accordance with a report,  
4 to be provided to the Committees on Appropriations within  
5 thirty days of enactment of this Act, as required by section  
6 653(a) of the Foreign Assistance Act of 1961.

7 CHILD SURVIVAL AND AIDS ACTIVITIES

8 SEC. 522. Up to \$8,000,000 of the funds made avail-  
9 able by this Act for assistance for family planning, health,  
10 child survival, and AIDS, may be used to reimburse  
11 United States Government agencies, agencies of State gov-  
12 ernments, institutions of higher learning, and private and  
13 voluntary organizations for the full cost of individuals (in-  
14 cluding for the personal services of such individuals) de-  
15 tailed or assigned to, or contracted by, as the case may  
16 be, the Agency for International Development for the pur-  
17 pose of carrying out family planning activities, child sur-  
18 vival activities and activities relating to research on, and  
19 the treatment and control of, acquired immune deficiency  
20 syndrome in developing countries: *Provided*, That funds  
21 appropriated by this Act that are made available for child  
22 survival activities or activities relating to research on, and  
23 the treatment and control of, acquired immune deficiency  
24 syndrome may be made available notwithstanding any pro-  
25 vision of law that restricts assistance to foreign countries:  
26 *Provided further*, That funds appropriated by this Act that

1 are made available for family planning activities may be  
2 made available notwithstanding section 512 of this Act  
3 and section 620(q) of the Foreign Assistance Act of 1961.

4 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN  
5 COUNTRIES

6 SEC. 523. None of the funds appropriated or other-  
7 wise made available pursuant to this Act shall be obligated  
8 to finance indirectly any assistance or reparations to  
9 Cuba, Iraq, Libya, Iran, Syria, North Korea, or the Peo-  
10 ple's Republic of China, unless the President of the United  
11 States certifies that the withholding of these funds is con-  
12 trary to the national interest of the United States.

13 RECIPROCAL LEASING

14 SEC. 524. Section 61(a) of the Arms Export Control  
15 Act is amended by striking out "1995" and inserting in  
16 lieu thereof "1996".

17 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

18 SEC. 525. Prior to providing excess Department of  
19 Defense articles in accordance with section 516(a) of the  
20 Foreign Assistance Act of 1961, the Department of De-  
21 fense shall notify the Committees on Appropriations to the  
22 same extent and under the same conditions as are other  
23 committees pursuant to subsection (c) of that section: *Pro-*  
24 *vided*, That before issuing a letter of offer to sell excess  
25 defense articles under the Arms Export Control Act, the  
26 Department of Defense shall notify the Committees on

1 Appropriations in accordance with the regular notification  
 2 procedures of such Committees: *Provided further*, That  
 3 such Committees shall also be informed of the original ac-  
 4 quisition cost of such defense articles.

5 AUTHORIZATION REQUIREMENT

6 SEC. 526. Funds appropriated by this Act may be  
 7 obligated and expended notwithstanding section 10 of  
 8 Public Law 91–672 and section 15 of the State Depart-  
 9 ment Basic Authorities Act of 1956.

10 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES

11 BY INTERNATIONAL FINANCIAL INSTITUTIONS

12 SEC. 527. (a) INSTRUCTIONS FOR UNITED STATES  
 13 EXECUTIVE DIRECTORS.—The Secretary of the Treasury  
 14 shall instruct the United States Executive Director of each  
 15 international financial institution designated in subsection  
 16 (b), and the Administrator of the Agency for International  
 17 Development shall instruct the United States Executive  
 18 Director of the International Fund for Agriculture Devel-  
 19 opment, to use the voice and vote of the United States  
 20 to oppose any loan or other use of the funds of the respec-  
 21 tive institution to or for a country for which the Secretary  
 22 of State has made a determination under section 6(j) of  
 23 the Export Administration Act of 1979.

24 (b) DEFINITION.—For purposes of this section, the  
 25 term “international financial institution” includes—

(2) wherever applicable, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the African Development Fund, and the European Bank for Reconstruction and Development.

SEC. 527A. (a) Notwithstanding any other provision of law, funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

21 (2) otherwise supports international terrorism.

(b) The President may waive the application of sub-  
section (a) to a country if the President determines that  
national security or humanitarian reasons justify such  
waiver. The President shall publish each waiver in the  
Federal Register and, at least fifteen days before the waiv-

1 er takes effect, shall notify the Committees on Appropria-  
2 tions of the waiver (including the justification for the waiv-  
3 er) in accordance with the regular notification procedures  
4 of the Committees on Appropriations.

5 COMMERCIAL LEASING OF DEFENSE ARTICLES

6 SEC. 528. Notwithstanding any other provision of  
7 law, and subject to the regular notification requirements  
8 of the Committees on Appropriations, the authority of sec-  
9 tion 23(a) of the Arms Export Control Act may be used  
10 to provide financing to Israel, Egypt and NATO and  
11 major non-NATO allies for the procurement by leasing  
12 (including leasing with an option to purchase) of defense  
13 articles from United States commercial suppliers, not in-  
14 cluding Major Defense Equipment (other than helicopters  
15 and other types of aircraft having possible civilian applica-  
16 tion), if the President determines that there are compel-  
17 ling foreign policy or national security reasons for those  
18 defense articles being provided by commercial lease rather  
19 than by government-to-government sale under such Act.

20 COMPETITIVE INSURANCE

21 SEC. 528A. All Agency for International Development  
22 contracts and solicitations, and subcontracts entered into  
23 under such contracts, shall include a clause requiring that  
24 United States insurance companies have a fair oppor-  
25 tunity to bid for insurance when such insurance is nec-  
26 essary or appropriate.



## 1                   STINGERS IN THE PERSIAN GULF REGION

2           SEC. 529. Except as provided in section 581 of the  
3 Foreign Operations, Export Financing, and Related Pro-  
4 grams Appropriations Act, 1990, the United States may  
5 not sell or otherwise make available any Stingers to any  
6 country bordering the Persian Gulf under the Arms Ex-  
7 port Control Act or chapter 2 of part II of the Foreign  
8 Assistance Act of 1961.

## 9                   DEBT-FOR-DEVELOPMENT

10          SEC. 530. In order to enhance the continued partici-  
11 pation of nongovernmental organizations in economic as-  
12 sistance activities under the Foreign Assistance Act of  
13 1961, including endowments, debt-for-development and  
14 debt-for-nature exchanges, a nongovernmental organiza-  
15 tion which is a grantee or contractor of the Agency for  
16 International Development may place in interest bearing  
17 accounts funds made available under this Act or prior Acts  
18 or local currencies which accrue to that organization as  
19 a result of economic assistance provided under title II of  
20 this Act and any interest earned on such investment may  
21 be used for the purpose for which the assistance was pro-  
22 vided to that organization.

1           COMPETITIVE PRICING FOR SALES OF DEFENSE

2                           ARTICLES

3           SEC. 531A. (a) COSTING BASIS.—Section 22 of the  
4 Arms Export Control Act (22 U.S.C. 2762) is amended  
5 by adding at the end the following:

6           “(d) COMPETITIVE PRICING.—Procurement con-  
7 tracts made in implementation of sales under this section  
8 for defense articles and defense services wholly paid for  
9 from funds made available on a nonrepayable basis shall  
10 be priced on the same costing basis with regard to profit,  
11 overhead, independent research and development, bid and  
12 proposal, and other costing elements, as is applicable to  
13 procurements of like items purchased by the Department  
14 of Defense for its own use.”.

15           (b) EFFECTIVE DATE AND IMPLEMENTING REGULA-  
16 TIONS.—Section 22(d) of the Arms Export Control Act,  
17 as added by subsection (a)—

18                   (1) shall take effect on the 60th day following  
19 the date of the enactment of this Act;

20                   (2) shall be applicable only to contracts made in  
21 implementation of sales made after such effective  
22 date; and

23                   (3) shall be implemented by revised procure-  
24 ment regulations, which shall be issued prior to such  
25 effective date.

1 (c) DIRECT COSTS ALLOWABLE.—Direct costs asso-  
2 ciated with meeting a foreign customer’s additional or  
3 unique requirements will continue to be allowable under  
4 such contracts. Loadings applicable to such direct costs  
5 shall be permitted at the same rates applicable to procure-  
6 ment of like items purchased by the Department of De-  
7 fense for its own use.

8 STOCKPILES OF DEFENSE ARTICLES

9 SEC. 531B. (a) LIMITATION ON VALUE OF ADDI-  
10 TIONS.—Section 514(b)(1) of the Foreign Assistance Act  
11 of 1961 (22 U.S.C. 2321h(b)(1)) is amended by inserting  
12 “or in the implementation of agreements with Israel” after  
13 “North Atlantic Treaty Organization”.

14 (b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—  
15 Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2))  
16 is amended to read as follows:

17 “(2)(A) The value of such additions to stockpiles of  
18 defense articles in foreign countries shall not exceed  
19 \$50,000,000 for each of the fiscal years 1996 and 1997.

20 “(B) Of the amount specified in subparagraph (A)  
21 for each of the fiscal years 1996 and 1997, not more than  
22 \$40,000,000 may be made available for stockpiles in the  
23 Republic of Korea and not more than \$10,000,000 may  
24 be made available for stockpiles in Thailand.”.

1 (c) LOCATION OF STOCKPILES OF DEFENSE AU-  
 2 THORITIES.—Section 514(c) of such Act (22 U.S.C.  
 3 2321h(c)) is amended to read as follows:

4 “(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-  
 5 CLES.—

6 “(1) LIMITATION.—Except as provided in para-  
 7 graph (2), no stockpile of defense articles may be lo-  
 8 cated outside the boundaries of a United States mili-  
 9 tary base or a military base used primarily by the  
 10 United States.

11 “(2) EXCEPTIONS.—Paragraph (1) shall not  
 12 apply with respect to stockpiles of defense articles  
 13 located in the Republic of Korea, Thailand, any  
 14 country that is a member of the North Atlantic  
 15 Treaty Organization, any country that is a major  
 16 non-NATO ally, or any other country the President  
 17 may designate. At least 15 days before designating  
 18 a country pursuant to the last clause of the preced-  
 19 ing sentence, the President shall notify the congres-  
 20 sional committees specified in section 634A(a) in ac-  
 21 cordance with the procedures applicable to  
 22 reprogramming notifications under that section.”.

#### 23 SEPARATE ACCOUNTS

24 SEC. 532. (a) SEPARATE ACCOUNTS FOR LOCAL  
 25 CURRENCIES.—(1) If assistance is furnished to the gov-  
 26 ernment of a foreign country under chapters 1 and 10 of

1 part I or chapter 4 of part II of the Foreign Assistance  
2 Act of 1961 under agreements which result in the genera-  
3 tion of local currencies of that country, the Administrator  
4 of the Agency for International Development shall—

5 (A) require that local currencies be deposited in  
6 a separate account established by that government;

7 (B) enter into an agreement with that govern-  
8 ment which sets forth—

9 (i) the amount of the local currencies to be  
10 generated, and

11 (ii) the terms and conditions under which  
12 the currencies so deposited may be utilized, con-  
13 sistent with this section; and

14 (C) establish by agreement with that govern-  
15 ment the responsibilities of the Agency for Inter-  
16 national Development and that government to mon-  
17 itor and account for deposits into and disbursements  
18 from the separate account.

19 (2) USES OF LOCAL CURRENCIES.—As may be  
20 agreed upon with the foreign government, local currencies  
21 deposited in a separate account pursuant to subsection  
22 (a), or an equivalent amount of local currencies, shall be  
23 used only—

1 (A) to carry out chapters 1 or 10 of part I or  
2 chapter 4 of part II (as the case may be), for such  
3 purposes as—

4 (i) project and sector assistance activities,  
5 or

6 (ii) debt and deficit financing; or

7 (B) for the administrative requirements of the  
8 United States Government.

9 (3) PROGRAMMING ACCOUNTABILITY.—The Agency  
10 for International Development shall take all appropriate  
11 steps to ensure that the equivalent of the local currencies  
12 disbursed pursuant to subsection (a)(2)(A) from the sepa-  
13 rate account established pursuant to subsection (a)(1) are  
14 used for the purposes agreed upon pursuant to subsection  
15 (a)(2).

16 (4) TERMINATION OF ASSISTANCE PROGRAMS.—  
17 Upon termination of assistance to a country under chap-  
18 ters 1 or 10 of part I or chapter 4 of part II (as the case  
19 may be), any unencumbered balances of funds which re-  
20 main in a separate account established pursuant to sub-  
21 section (a) shall be disposed of for such purposes as may  
22 be agreed to by the government of that country and the  
23 United States Government.

24 (5) CONFORMING AMENDMENTS.—The provisions of  
25 this subsection shall supersede the tenth and eleventh pro-

1 visos contained under the heading “Sub-Saharan Africa,  
2 Development Assistance” as included in the Foreign Oper-  
3 ations, Export Financing, and Related Programs Appro-  
4 priations Act, 1989 and sections 531(d) and 609 of the  
5 Foreign Assistance Act of 1961.

6 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

7 (1) If assistance is made available to the government of  
8 a foreign country, under chapters 1 or 10 of part I or  
9 chapter 4 of part II of the Foreign Assistance Act of 1961,  
10 as cash transfer assistance or as nonproject sector assist-  
11 ance, that country shall be required to maintain such  
12 funds in a separate account and not commingle them with  
13 any other funds.

14 (2) APPLICABILITY OF OTHER PROVISIONS OF  
15 LAW.—Such funds may be obligated and expended not-  
16 withstanding provisions of law which are inconsistent with  
17 the nature of this assistance including provisions which  
18 are referenced in the Joint Explanatory Statement of the  
19 Committee of Conference accompanying House Joint Res-  
20 olution 648 (H. Report No. 98–1159).

21 (3) NOTIFICATION.—At least fifteen days prior to ob-  
22 ligating any such cash transfer or nonproject sector assist-  
23 ance, the President shall submit a notification through the  
24 regular notification procedures of the Committees on Ap-  
25 propriations, which shall include a detailed description of

1 how the funds proposed to be made available will be used,  
 2 with a discussion of the United States interests that will  
 3 be served by the assistance (including, as appropriate, a  
 4 description of the economic policy reforms that will be pro-  
 5 moted by such assistance).

6 (4) EXEMPTION.—Nonproject sector assistance funds  
 7 may be exempt from the requirements of subsection (b)(1)  
 8 only through the notification procedures of the Commit-  
 9 tees on Appropriations.

10 COMPENSATION FOR UNITED STATES EXECUTIVE  
 11 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

12 SEC. 533. (a) No funds appropriated by this Act may  
 13 be made as payment to any international financial institu-  
 14 tion while the United States Executive Director to such  
 15 institution is compensated by the institution at a rate  
 16 which, together with whatever compensation such Director  
 17 receives from the United States, is in excess of the rate  
 18 provided for an individual occupying a position at level IV  
 19 of the Executive Schedule under section 5315 of title 5,  
 20 United States Code, or while any alternate United States  
 21 Director to such institution is compensated by the institu-  
 22 tion at a rate in excess of the rate provided for an individ-  
 23 ual occupying a position at level V of the Executive Sched-  
 24 ule under section 5316 of title 5, United States Code.

25 (b) For purposes of this section, “international finan-  
 26 cial institutions” are: the International Bank for Recon-



1 struction and Development, the Inter-American Develop-  
2 ment Bank, the Asian Development Bank, the Asian De-  
3 velopment Fund, the African Development Bank, the Afri-  
4 can Development Fund, the International Monetary Fund,  
5 the North American Development Bank, and the Euro-  
6 pean Bank for Reconstruction and Development.

7 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST  
8 IRAQ

9 SEC. 534. (a) DENIAL OF ASSISTANCE.—None of the  
10 funds appropriated or otherwise made available pursuant  
11 to this Act to carry out the Foreign Assistance Act of  
12 1961 (including title IV of chapter 2 of part I, relating  
13 to the Overseas Private Investment Corporation) or the  
14 Arms Export Control Act may be used to provide assist-  
15 ance to any country that is not in compliance with the  
16 United Nations Security Council sanctions against Iraq,  
17 Serbia or Montenegro unless the President determines and  
18 so certifies to the Congress that—

19 (1) such assistance is in the national interest of  
20 the United States;

21 (2) such assistance will directly benefit the  
22 needy people in that country; or

23 (3) the assistance to be provided will be human-  
24 itarian assistance for foreign nationals who have fled  
25 Iraq and Kuwait.

1 (b) IMPORT SANCTIONS.—If the President considers  
2 that the taking of such action would promote the effective-  
3 ness of the economic sanctions of the United Nations and  
4 the United States imposed with respect to Iraq, Serbia,  
5 or Montenegro, as the case may be, and is consistent with  
6 the national interest, the President may prohibit, for such  
7 a period of time as he considers appropriate, the importa-  
8 tion into the United States of any or all products of any  
9 foreign country that has not prohibited—

10 (1) the importation of products of Iraq, Serbia,  
11 or Montenegro into its customs territory, and

12 (2) the export of its products to Iraq, Serbia,  
13 or Montenegro, as the case may be.

14 POW/MIA MILITARY DRAWDOWN

15 SEC. 535. (a) Notwithstanding any other provision  
16 of law, the President may direct the drawdown, without  
17 reimbursement by the recipient, of defense articles from  
18 the stocks of the Department of Defense, defense services  
19 of the Department of Defense, and military education and  
20 training, of an aggregate value not to exceed \$15,000,000  
21 in fiscal year 1996, as may be necessary to carry out sub-  
22 section (b).

23 (b) Such defense articles, services and training may  
24 be provided to Vietnam, Cambodia and Laos, under sub-  
25 section (a) as the President determines are necessary to  
26 support efforts to locate and repatriate members of the

1 United States Armed Forces and civilians employed di-  
2 rectly or indirectly by the United States Government who  
3 remain unaccounted for from the Vietnam War, and to  
4 ensure the safety of United States Government personnel  
5 engaged in such cooperative efforts and to support United  
6 States Department of Defense-sponsored humanitarian  
7 projects associated with the POW/MIA efforts. Any air-  
8 craft shall be provided under this section only to Laos and  
9 only on a lease or loan basis, but may be provided at no  
10 cost notwithstanding section 61 of the Arms Export Con-  
11 trol Act and may be maintained with defense articles, serv-  
12 ices and training provided under this section.

13 (c) The President shall, within sixty days of the end  
14 of any fiscal year in which the authority of subsection (a)  
15 is exercised, submit a report to the Congress which identi-  
16 fies the articles, services, and training drawn down under  
17 this section.

18 MEDITERRANEAN EXCESS DEFENSE ARTICLES

19 SEC. 536. During fiscal year 1996, the provisions of  
20 section 573(e) of the Foreign Operations, Export Financ-  
21 ing, and Related Programs Appropriations Act, 1990,  
22 shall be applicable, for the period specified therein, to ex-  
23 cess defense articles made available under sections 516  
24 and 519 of the Foreign Assistance Act of 1961.

## CASH FLOW FINANCING

SEC. 537. For each country that has been approved for cash flow financing (as defined in section 25(d) of the Arms Export Control Act, as added by section 112(b) of Public Law 99–83) under the Foreign Military Financing Program, any Letter of Offer and Acceptance or other purchase agreement, or any amendment thereto, for a procurement in excess of \$100,000,000 that is to be financed in whole or in part with funds made available under this Act shall be submitted through the regular notification procedures to the Committees on Appropriations.

## AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMERICAN FOUNDATION AND THE AFRICAN DEVELOPMENT FOUNDATION

SEC. 538. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act. The appropriate agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

## 1 IMPACT ON JOBS IN THE UNITED STATES

2 SEC. 539. None of the funds appropriated by this Act  
3 may be obligated or expended to provide—

4 (a) any financial incentive to a business enter-  
5 prise currently located in the United States for the  
6 purpose of inducing such an enterprise to relocate  
7 outside the United States if such incentive or in-  
8 ducement is likely to reduce the number of employ-  
9 ees of such business enterprise in the United States  
10 because United States production is being replaced  
11 by such enterprise outside the United States;

12 (b) assistance for the purpose of establishing or  
13 developing in a foreign country any export process-  
14 ing zone or designated area in which the tax, tariff,  
15 labor, environment, and safety laws of that country  
16 do not apply, in part or in whole, to activities car-  
17 ried out within that zone or area, unless the Presi-  
18 dent determines and certifies that such assistance is  
19 not likely to cause a loss of jobs within the United  
20 States; or

21 (c) assistance for any project or activity that  
22 contributes to the violation of internationally recog-  
23 nized workers rights, as defined in section 502(a)(4)  
24 of the Trade Act of 1974, of workers in the recipient  
25 country, including any designated zone or area in

1       that country: *Provided*, That in recognition that the  
2       application of this subsection should be commensu-  
3       rate with the level of development of the recipient  
4       country and sector, the provisions of this subsection  
5       shall not preclude assistance for the informal sector  
6       in such country, micro and small-scale enterprise,  
7       and smallholder agriculture.

8       AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

9       SEC. 540. (a) Congress finds as follows:

10           (1) The United Nations has imposed an embar-  
11       go on the transfer of arms to any country on the  
12       territory of the former Yugoslavia.

13           (2) The federated states of Serbia and  
14       Montenegro have a large supply of military equip-  
15       ment and ammunition and the Serbian forces fight-  
16       ing the government of Bosnia-Herzegovina have  
17       more than one thousand battle tanks, armored vehi-  
18       cles, and artillery pieces.

19           (3) Because the United Nations arms embargo  
20       is serving to sustain the military advantage of the  
21       aggressor, the United Nations should exempt the  
22       government of Bosnia-Herzegovina from its embar-  
23       go.

24           (b) Pursuant to a lifting of the United Nations arms  
25       embargo, or to a unilateral lifting of the arms embargo  
26       by the President of the United States, against Bosnia-

1 Hercegovina, the President is authorized to transfer, sub-  
2 ject to prior notification of the Committees on Appropria-  
3 tions, to the government of that nation, without reim-  
4 bursement, defense articles from the stocks of the Depart-  
5 ment of Defense and defense services of the Department  
6 of Defense of an aggregate value not to exceed  
7 \$100,000,000 in fiscal year 1996: *Provided*, That the  
8 President certifies in a timely fashion to the Congress that  
9 the transfer of such articles would assist that nation in  
10 self-defense and thereby promote the security and stability  
11 of the region.

12 (c) Within 60 days of any transfer under the author-  
13 ity provided in subsection (b), and every 60 days there-  
14 after, the President shall report in writing to the Speaker  
15 of the House of Representatives and the President pro  
16 tempore of the Senate concerning the articles transferred  
17 and the disposition thereof.

18 (d) There are authorized to be appropriated to the  
19 President such sums as may be necessary to reimburse  
20 the applicable appropriation, fund, or account for defense  
21 articles provided under this section.

22 RESTRICTIONS ON THE TERMINATION OF SANCTIONS

23 AGAINST SERBIA AND MONTENEGRO

24 SEC. 540A. (a) RESTRICTIONS.—Notwithstanding  
25 any other provision of law, no sanction, prohibition, or re-  
26 quirement described in section 1511 of the National De-

1 fense Authorization Act for Fiscal Year 1994 (Public Law  
2 103–160), with respect to Serbia or Montenegro, may  
3 cease to be effective, unless—

4 (1) the President first submits to the Congress  
5 a certification described in subsection (b); and

6 (2) the requirements of section 1511 of that  
7 Act are met.

8 (b) CERTIFICATION.—A certification described in this  
9 subsection is a certification that—

10 (1) there is substantial progress toward—

11 (A) the realization of a separate identity  
12 for Kosova and the right of the people of  
13 Kosova to govern themselves; or

14 (B) the creation of an international protec-  
15 torate for Kosova;

16 (2) there is substantial improvement in the  
17 human rights situation in Kosova;

18 (3) international human rights observers are al-  
19 lowed to return to Kosova; and

20 (4) the elected government of Kosova is per-  
21 mitted to meet and carry out its legitimate mandate  
22 as elected representatives of the people of Kosova.

23 (c) WAIVER AUTHORITY.—The President may waive  
24 the application in whole or in part, of subsection (a) if  
25 the President certifies to the Congress that the President



1 has determined that the waiver is necessary to meet emer-  
2 gency humanitarian needs or to achieve a negotiated set-  
3 tlement of the conflict in Bosnia-Herzegovina that is ac-  
4 ceptable to the parties.

5 (d) EXPANDED AUTHORITY.—Section 660(b) of the  
6 Foreign Assistance Act of 1961 is amended—

7 (1) in paragraph (3), by striking “or”;

8 (2) in paragraph (4), by striking the period at  
9 the end thereof and inserting “; or”;

10 (3) adding the following new paragraphs:

11 “(5) with respect to assistance, including train-  
12 ing, relating to sanctions monitoring and enforce-  
13 ment;

14 “(6) with respect to assistance provided to re-  
15 constitute civilian police authority and capability in  
16 the post-conflict restoration of host nation infra-  
17 structure for the purposes of supporting a nation  
18 emerging from instability, and the provision of pro-  
19 fessional public safety training, to include training in  
20 internationally recognized standards of human  
21 rights, the rule of law, anti-corruption, and the pro-  
22 motion of civilian police roles that support democ-  
23 racy.”.

## SPECIAL AUTHORITIES

1  
2 SEC. 541. (a) Funds appropriated in title II of this  
3 Act that are made available for Afghanistan, Lebanon,  
4 and Cambodia, and for victims of war, displaced children,  
5 displaced Burmese, humanitarian assistance for Romania,  
6 and humanitarian assistance for the peoples of Bosnia-  
7 Hercegovina, Croatia, and Kosova, may be made available  
8 notwithstanding any other provision of law: *Provided*,  
9 That any such funds that are made available for Cam-  
10 bodia shall be subject to the provisions of section 531(e)  
11 of the Foreign Assistance Act of 1961 and section 906  
12 of the International Security and Development Coopera-  
13 tion Act of 1985: *Provided further*, That the President  
14 shall terminate assistance to any country or organization  
15 that he determines is cooperating, tactically or strategi-  
16 cally, with the Khmer Rouge in their military operations,  
17 or to the military of any country which the President de-  
18 termines is not taking steps to prevent a pattern or prac-  
19 tice of commercial relations between its members and the  
20 Khmer Rouge.

21 (b) Funds appropriated by this Act to carry out the  
22 provisions of sections 103 through 106 of the Foreign As-  
23 sistance Act of 1961 may be used, notwithstanding any  
24 other provision of law, for the purpose of supporting tropi-  
25 cal forestry and energy programs aimed at reducing emis-

1 sions of greenhouse gases, and for the purpose of support-  
 2 ing biodiversity conservation activities: *Provided*, That  
 3 such assistance shall be subject to sections 116, 502B, and  
 4 620A of the Foreign Assistance Act of 1961.

5 (c) During fiscal year 1996, the President may use  
 6 up to \$40,000,000 under the authority of section 451 of  
 7 the Foreign Assistance Act of 1961, notwithstanding the  
 8 funding ceiling contained in subsection (a) of that section.

9 (d) The Agency for International Development may  
 10 employ personal services contractors, notwithstanding any  
 11 other provision of law, for the purpose of administering  
 12 programs for the West Bank and Gaza.

13 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT  
 14 OF ISRAEL

15 SEC. 542. It is the sense of the Congress that—

16 (1) the Arab League countries should imme-  
 17 diately and publicly renounce the primary boycott of  
 18 Israel and the secondary and tertiary boycott of  
 19 American firms that have commercial ties with Is-  
 20 rael; and

21 (2) the President should—

22 (A) take more concrete steps to encourage  
 23 vigorously Arab League countries to renounce  
 24 publicly the primary boycotts of Israel and the  
 25 secondary and tertiary boycotts of American

1 firms that have commercial relations with Israel  
2 as a confidence-building measure;

3 (B) take into consideration the participa-  
4 tion of any recipient country in the primary  
5 boycott of Israel and the secondary and tertiary  
6 boycotts of American firms that have commer-  
7 cial relations with Israel when determining  
8 whether to sell weapons to said country;

9 (C) report to Congress on the specific  
10 steps being taken by the President to bring  
11 about a public renunciation of the Arab primary  
12 boycott of Israel and the secondary and tertiary  
13 boycotts of American firms that have commer-  
14 cial relations with Israel; and

15 (D) encourage the allies and trading part-  
16 ners of the United States to enact laws prohib-  
17 iting businesses from complying with the boy-  
18 cott and penalizing businesses that do comply.

19 ANTI-NARCOTICS ACTIVITIES

20 SEC. 543. (a) Of the funds appropriated or otherwise  
21 made available by this Act for “Economic Support Fund”,  
22 assistance may be provided to strengthen the administra-  
23 tion of justice in countries in Latin America and the Car-  
24 ibbean in accordance with the provisions of section 534  
25 of the Foreign Assistance Act of 1961, except that pro-  
26 grams to enhance protection of participants in judicial

1 cases may be conducted notwithstanding section 660 of  
2 that Act.

3 (b) Funds made available pursuant to this section  
4 may be made available notwithstanding the third sentence  
5 of section 534(e) of the Foreign Assistance Act of 1961.  
6 Funds made available pursuant to subsection (a) for Bo-  
7 livia, Colombia and Peru may be made available notwith-  
8 standing section 534(c) and the second sentence of section  
9 534(e) of the Foreign Assistance Act of 1961.

10 ELIGIBILITY FOR ASSISTANCE

11 SEC. 544. (a) ASSISTANCE THROUGH NONGOVERN-  
12 MENTAL ORGANIZATIONS.—Restrictions contained in this  
13 or any other Act with respect to assistance for a country  
14 shall not be construed to restrict assistance in support of  
15 programs of nongovernmental organizations from funds  
16 appropriated by this Act to carry out the provisions of  
17 chapters 1 and 10 of part I of the Foreign Assistance Act  
18 of 1961: *Provided*, That the President shall take into con-  
19 sideration, in any case in which a restriction on assistance  
20 would be applicable but for this subsection, whether assist-  
21 ance in support of programs of nongovernmental organiza-  
22 tions is in the national interest of the United States: *Pro-*  
23 *vided further*, That before using the authority of this sub-  
24 section to furnish assistance in support of programs of  
25 nongovernmental organizations, the President shall notify  
26 the Committees on Appropriations under the regular noti-

1 fication procedures of those committees, including a de-  
2 scription of the program to be assisted, the assistance to  
3 be provided, and the reasons for furnishing such assist-  
4 ance: *Provided further*, That nothing in this subsection  
5 shall be construed to alter any existing statutory prohibi-  
6 tions against abortion or involuntary sterilizations con-  
7 tained in this or any other Act.

8 (b) PUBLIC LAW 480.—During fiscal year 1996, re-  
9 strictions contained in this or any other Act with respect  
10 to assistance for a country shall not be construed to re-  
11 strict assistance under the Agricultural Trade Develop-  
12 ment and Assistance Act of 1954: *Provided*, That none  
13 of the funds appropriated to carry out title I of such Act  
14 and made available pursuant to this subsection may be  
15 obligated or expended except as provided through the reg-  
16 ular notification procedures of the Committees on Appro-  
17 priations.

18 (c) EXCEPTION.—This section shall not apply—

19 (1) with respect to section 620A of the Foreign  
20 Assistance Act or any comparable provision of law  
21 prohibiting assistance to countries that support  
22 international terrorism; or

23 (2) with respect to section 116 of the Foreign  
24 Assistance Act of 1961 or any comparable provision

1 of law prohibiting assistance to countries that violate  
2 internationally recognized human rights.

3 EARMARKS

4 SEC. 544A. (a) Funds appropriated by this Act which  
5 are earmarked may be reprogrammed for other programs  
6 within the same account notwithstanding the earmark if  
7 compliance with the earmark is made impossible by oper-  
8 ation of any provision of this or any other Act or, with  
9 respect to a country with which the United States has an  
10 agreement providing the United States with base rights  
11 or base access in that country, if the President determines  
12 that the recipient for which funds are earmarked has sig-  
13 nificantly reduced its military or economic cooperation  
14 with the United States since enactment of the Foreign Op-  
15 erations, Export Financing, and Related Programs Appro-  
16 priations Act, 1991; however, before exercising the author-  
17 ity of this subsection with regard to a base rights or base  
18 access country which has significantly reduced its military  
19 or economic cooperation with the United States, the Presi-  
20 dent shall consult with, and shall provide a written policy  
21 justification to the Committees on Appropriations: *Pro-*  
22 *vided*, That any such reprogramming shall be subject to  
23 the regular notification procedures of the Committees on  
24 Appropriations: *Provided further*, That assistance that is  
25 reprogrammed pursuant to this subsection shall be made

1 available under the same terms and conditions as origi-  
 2 nally provided.

3 (b) In addition to the authority contained in sub-  
 4 section (a), the original period of availability of funds ap-  
 5 propriated by this Act and administered by the Agency  
 6 for International Development that are earmarked for par-  
 7 ticular programs or activities by this or any other Act shall  
 8 be extended for an additional fiscal year if the Adminis-  
 9 trator of such agency determines and reports promptly to  
 10 the Committees on Appropriations that the termination of  
 11 assistance to a country or a significant change in cir-  
 12 cumstances makes it unlikely that such earmarked funds  
 13 can be obligated during the original period of availability:  
 14 *Provided*, That such earmarked funds that are continued  
 15 available for an additional fiscal year shall be obligated  
 16 only for the purpose of such earmark.

#### 17 CEILINGS AND EARMARKS

18 SEC. 545. Ceilings and earmarks contained in this  
 19 Act shall not be applicable to funds or authorities appro-  
 20 priated or otherwise made available by any subsequent Act  
 21 unless such Act specifically so directs.

#### 22 EXCESS DEFENSE ARTICLES

23 SEC. 546. (a) The authority of section 519 of the  
 24 Foreign Assistance Act of 1961, as amended, may be used  
 25 in fiscal year 1996 to provide nonlethal excess defense ar-  
 26 ticles to countries for which United States foreign assist-



1   ance has been requested and for which receipt of such arti-  
2   cles was separately justified for the fiscal year, without  
3   regard to the restrictions in subsection (a) of section 519.

4       (b) The authority of section 516 of the Foreign As-  
5   sistance Act of 1961, as amended, may be used in fiscal  
6   year 1996 to provide defense articles to Jordan, Estonia,  
7   Latvia, and Lithuania.

8           PROHIBITION ON PUBLICITY OR PROPAGANDA

9       SEC. 547. No part of any appropriation contained in  
10   this Act shall be used for publicity or propaganda purposes  
11   within the United States not authorized before the date  
12   of enactment of this Act by the Congress: *Provided*, That  
13   none of the funds appropriated by this Act may be made  
14   available to carry out the provisions of section 316 of Pub-  
15   lic Law 96–533.

16           USE OF AMERICAN RESOURCES

17       SEC. 548. To the maximum extent possible, assist-  
18   ance provided under this Act should make full use of  
19   American resources, including commodities, products, and  
20   services.

21           PROHIBITION OF PAYMENTS TO UNITED NATIONS

22                   MEMBERS

23       SEC. 549. None of the funds appropriated or made  
24   available pursuant to this Act for carrying out the Foreign  
25   Assistance Act of 1961, may be used to pay in whole or

1 in part any assessments, arrearages, or dues of any mem-  
2 ber of the United Nations.

3 CONSULTING SERVICES

4 SEC. 550. The expenditure of any appropriation  
5 under this Act for any consulting service through procure-  
6 ment contract, pursuant to section 3109 of title 5, United  
7 States Code, shall be limited to those contracts where such  
8 expenditures are a matter of public record and available  
9 for public inspection, except where otherwise provided  
10 under existing law, or under existing Executive order pur-  
11 suant to existing law.

12 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

13 SEC. 551. None of the funds appropriated or made  
14 available pursuant to this Act shall be available to a pri-  
15 vate voluntary organization which fails to provide upon  
16 timely request any document, file, or record necessary to  
17 the auditing requirements of the Agency for International  
18 Development.

19 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-  
20 MENTS THAT EXPORT LETHAL MILITARY EQUIP-  
21 MENT TO COUNTRIES SUPPORTING INTERNATIONAL  
22 TERRORISM

23 SEC. 552. (a) None of the funds appropriated or oth-  
24 erwise made available by this Act may be available to any  
25 foreign government which provides lethal military equip-  
26 ment to a country the government of which the Secretary

1 of State has determined is a terrorist government for pur-  
2 poses of section 40(d) of the Arms Export Control Act.  
3 The prohibition under this section with respect to a for-  
4 eign government shall terminate 12 months after that gov-  
5 ernment ceases to provide such military equipment. This  
6 section applies with respect to lethal military equipment  
7 provided under a contract entered into after the date of  
8 enactment of this Act.

9 (b) Assistance restricted by subsection (a) or any  
10 other similar provision of law, may be furnished if the  
11 President determines that furnishing such assistance is  
12 important to the national interests of the United States.

13 (c) Whenever the waiver of subsection (b) is exer-  
14 cised, the President shall submit to the appropriate con-  
15 gressional committees a report with respect to the furnish-  
16 ing of such assistance. Any such report shall include a de-  
17 tailed explanation of the assistance to be provided, includ-  
18 ing the estimated dollar amount of such assistance, and  
19 an explanation of how the assistance furthers United  
20 States national interests.

21 WITHHOLDING OF ASSISTANCE FOR PARKING FINES

22 OWED BY FOREIGN COUNTRIES

23 SEC. 553. (a) IN GENERAL.—Of the funds made  
24 available for a foreign country under part I of the Foreign  
25 Assistance Act of 1961, an amount equivalent to 110 per-  
26 cent of the total unpaid fully adjudicated parking fines

1 and penalties owed to the District of Columbia by such  
2 country as of the date of enactment of this Act shall be  
3 withheld from obligation for such country until the Sec-  
4 retary of State certifies and reports in writing to the ap-  
5 propriate congressional committees that such fines and  
6 penalties are fully paid to the government of the District  
7 of Columbia.

8 (b) DEFINITION.—For purposes of this section, the  
9 term “appropriate congressional committees” means the  
10 Committee on Foreign Relations and the Committee on  
11 Appropriations of the Senate and the Committee on Inter-  
12 national Relations and the Committee on Appropriations  
13 of the House of Representatives.

14 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE  
15 WEST BANK AND GAZA

16 SEC. 554. None of the funds appropriated by this Act  
17 may be obligated for assistance for the Palestine Libera-  
18 tion Organization for the West Bank and Gaza unless the  
19 President has exercised the authority under section 583(a)  
20 of the Middle East Peace Facilitation Act of 1994 (part  
21 E of title V of Public Law 103–236) or any other legisla-  
22 tion to suspend or make inapplicable section 307 of the  
23 Foreign Assistance Act of 1961 and that suspension is  
24 still in effect: *Provided*, That if the President fails to make  
25 the certification under section 583(b)(2) of the Middle  
26 East Peace Facilitation Act or to suspend the prohibition

1 under other legislation, funds appropriated by this Act  
2 may not be obligated for assistance for the Palestine Lib-  
3 eration Organization for the West Bank and Gaza.

4 EXPORT FINANCING TRANSFER AUTHORITIES

5 SEC. 555. Not to exceed 5 percent of any appropria-  
6 tion other than for administrative expenses made available  
7 for fiscal year 1996 for programs under title I of this Act  
8 may be transferred between such appropriations for use  
9 for any of the purposes, programs and activities for which  
10 the funds in such receiving account may be used, but no  
11 such appropriation, except as otherwise specifically pro-  
12 vided, shall be increased by more than 25 percent by any  
13 such transfer: *Provided*, That the exercise of such author-  
14 ity shall be subject to the regular notification procedures  
15 of the Committees on Appropriations.

16 WAR CRIMES TRIBUNALS

17 SEC. 556. If the President determines that doing so  
18 will contribute to a just resolution of charges regarding  
19 genocide or other violations of international humanitarian  
20 law, the authority of section 552(c) of the Foreign Assist-  
21 ance Act of 1961, as amended, may be used to provide  
22 up to \$25,000,000 of commodities and services to the  
23 United Nations War Crimes Tribunal established with re-  
24 gard to the former Yugoslavia by the United Nations Se-  
25 curity Council or such other tribunals or commissions as  
26 the Council may establish to deal with such violations,

1 without regard to the ceiling limitation contained in para-  
2 graph (2) thereof: *Provided*, That the determination re-  
3 quired under this section shall be in lieu of any determina-  
4 tions otherwise required under section 552(c): *Provided*  
5 *further*, That 60 days after the date of enactment of this  
6 Act, and every 180 days thereafter, the Secretary of State  
7 shall submit a report to the Committees on Appropriations  
8 describing the steps the United States Government is tak-  
9 ing to collect information regarding allegations of genocide  
10 or other violations of international law in the former Yugo-  
11 slavia and to furnish that information to the United Na-  
12 tions War Crimes Tribunal for the former Yugoslavia.

13 NONLETHAL EXCESS DEFENSE ARTICLES

14 SEC. 557. Notwithstanding section 519(f) of the For-  
15 eign Assistance Act of 1961, during fiscal year 1996,  
16 funds available to the Department of Defense may be ex-  
17 pended for crating, packing, handling and transportation  
18 of nonlethal excess defense articles transferred under the  
19 authority of section 519 to countries eligible to participate  
20 in the Partnership for Peace and to receive assistance  
21 under Public Law 101-179.

22 LANDMINES

23 SEC. 558. Notwithstanding any other provision of  
24 law, demining equipment available to any department or  
25 agency and used in support of the clearing of landmines  
26 for humanitarian purposes may be disposed of on a grant

1 basis in foreign countries, subject to such terms and condi-  
 2 tions as the President may prescribe: *Provided*, That sec-  
 3 tion 1365(c) of the National Defense Authorization Act  
 4 for Fiscal Year 1993 (Public Law 102–484; 22 U.S.C.,  
 5 2778 note) is amended by striking out “During the four-  
 6 year period beginning on October 23, 1992” and inserting  
 7 in lieu thereof “During the five-year period beginning on  
 8 October 23, 1992”.

9 CLARIFICATION OF RESTRICTIONS

10 SEC. 559. (a) IN GENERAL.—Section 620E of the  
 11 Foreign Assistance Act of 1961 (22 U.S.C. 2375) is  
 12 amended—

13 (1) in subsection (e)—

14 (A) by striking the words “No assistance”  
 15 and inserting the words “No military assist-  
 16 ance”;

17 (B) by striking the words “in which assist-  
 18 ance is to be furnished or military equipment or  
 19 technology” and inserting the words “in which  
 20 military assistance is to be furnished or military  
 21 equipment or technology”;

22 (C) by striking the words “the proposed  
 23 United States assistance” and inserting the  
 24 words “the proposed United States military as-  
 25 sistance”;

1 (D) by inserting “(1)” immediately after  
2 “(e)”; and

3 (E) by adding the following new para-  
4 graphs:

5 “(2) The prohibitions in this section do not  
6 apply to any assistance or transfer provided for the  
7 purposes of:

8 “(A) International narcotics control (in-  
9 cluding chapter 8 of part I of this Act) or any  
10 provision of law available for providing assist-  
11 ance for counternarcotics purposes.

12 “(B) Facilitating military-to-military con-  
13 tact, training (including chapter 5 of part II of  
14 this Act) and humanitarian and civic assistance  
15 projects.

16 “(C) Peacekeeping and other multilateral  
17 operations (including chapter 6 of part II of  
18 this Act relating to peacekeeping) or any provi-  
19 sion of law available for providing assistance for  
20 peacekeeping purposes, except that lethal mili-  
21 tary equipment provided under this subpara-  
22 graph shall be provided on a lease or loan basis  
23 only and shall be returned upon completion of  
24 the operation for which it was provided.



1           “(D) Antiterrorism assistance (including  
2           chapter 8 of part II of this Act relating to  
3           antiterrorism assistance) or any provision of  
4           law available for antiterrorism assistance pur-  
5           poses.

6           “(3) The restrictions of this subsection shall  
7           continue to apply to contracts for the delivery of F-  
8           16 aircraft to Pakistan.

9           “(4) Notwithstanding the restrictions contained  
10          in this subsection, military equipment, technology, or  
11          defense services, other than F-16 aircraft, may be  
12          transferred to Pakistan pursuant to contracts or  
13          cases entered into before October 1, 1990.”; and

14          (2) by adding at the end the following new sub-  
15          sections:

16          “(f) STORAGE COSTS.—The President may release  
17          the Government of Pakistan of its contractual obligation  
18          to pay the United States Government for the storage costs  
19          of items purchased prior to October 1, 1990, but not deliv-  
20          ered by the United States Government pursuant to sub-  
21          section (e) and may reimburse the Government of Paki-  
22          stan for any such amount paid, on such terms and condi-  
23          tions as the President may prescribe: *Provided*, That such  
24          payments have no budgetary impact.

1       “(g) INAPPLICABILITY OF RESTRICTIONS TO PRE-  
2       VIOUSLY OWNED ITEMS.—Section 620E(e) does not apply  
3       to broken, worn or unupgraded items or their equivalent  
4       which Pakistan paid for and took possession of prior to  
5       October 1, 1990 and which the Government of Pakistan  
6       sent to the United States for repair or upgrade. Such  
7       equipment or its equivalent may be returned to the Gov-  
8       ernment of Pakistan: *Provided*, That the President deter-  
9       mines and so certifies to the appropriate congressional  
10      committees that such equipment or equivalent neither con-  
11      stitutes nor has received any significant qualitative up-  
12      grade since being transferred to the United States and  
13      that its total value does not exceed \$25,000,000.

14      “(h) BALLISTIC MISSILE SANCTIONS NOT AF-  
15      FECTED.—Nothing contained herein shall affect sanctions  
16      for transfers of missile equipment or technology required  
17      under section 11B of the Export Administration Act of  
18      1979 or section 73 of the Arms Export Control Act.”.

19               RESTRICTIONS CONCERNING THE PALESTINIAN  
20                               AUTHORITY

21      SEC. 560. None of the funds appropriated by this Act  
22      may be obligated or expended to create in any part of Je-  
23      rusalem a new office of any department or agency of the  
24      United States Government for the purpose of conducting  
25      official United States Government business with the Pal-  
26      estinian Authority over Gaza and Jericho or any successor

1 Palestinian governing entity provided for in the Israel-  
 2 PLO Declaration of Principles: *Provided*, That this re-  
 3 striction shall not apply to the acquisition of additional  
 4 space for the existing Consulate General in Jerusalem:  
 5 *Provided further*, That meetings between officers and em-  
 6 ployees of the United States and officials of the Palestin-  
 7 ian Authority, or any successor Palestinian governing en-  
 8 tity provided for in the Israel-PLO Declaration of Prin-  
 9 ciples, for the purpose of conducting official United States  
 10 Government business with such authority should continue  
 11 to take place in locations other than Jerusalem. As has  
 12 been true in the past, officers and employees of the United  
 13 States Government may continue to meet in Jerusalem on  
 14 other subjects with Palestinians (including those who now  
 15 occupy positions in the Palestinian Authority), have social  
 16 contacts, and have incidental discussions.

17 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

18 SEC. 561. None of the funds appropriated or other-  
 19 wise made available by this Act under the heading  
 20 “INTERNATIONAL MILITARY EDUCATION AND TRAINING”  
 21 or “FOREIGN MILITARY FINANCING PROGRAM” for Infor-  
 22 mational Program activities may be obligated or expended  
 23 to pay for—

24 (1) alcoholic beverages;

25 (2) food (other than food provided at a military  
 26 installation) not provided in conjunction with Infor-

1        mational Program trips where students do not stay  
2        at a military installation; or

3            (3) entertainment expenses for activities that  
4        are substantially of a recreational character, includ-  
5        ing entrance fees at sporting events and amusement  
6        parks.

7        SEC. 562. (a) IN GENERAL.—None of the funds  
8        made available in this Act may be used for assistance in  
9        support of any country when it is made known to the  
10       President that the government of such country prohibits  
11       or otherwise restricts, directly or indirectly, the transport  
12       or delivery of United States humanitarian assistance.

13        (b) EXCEPTION.—Funds may be made available with  
14       regard to the restriction in subsection (a) if the President  
15       determines that to do so is in the national security interest  
16       of the United States.

17            WITHHOLDING OF ASSISTANCE TO COUNTRIES  
18            SUPPORTING NUCLEAR PLANT IN CUBA

19        SEC. 563. (a) WITHHOLDING.—The President shall  
20       withhold from assistance made available with funds appro-  
21       priated or made available pursuant to this Act an amount  
22       equal to the sum of assistance and credits, if any, provided  
23       on or after the date of the enactment of this Act by that  
24       country, or any entity in that country, in support of the  
25       completion of the Cuban nuclear facility at Juragua, near  
26       Cienfuegos, Cuba.

1 (b) EXCEPTIONS.—The requirement of subsection (a)  
2 to withhold assistance shall not apply with respect to—

3 (1) assistance to meet urgent humanitarian  
4 needs including disaster and refugee relief;

5 (2) democratic political reform and rule of law  
6 activities;

7 (3) the creation of private sector and non-  
8 governmental organizations that are independent of  
9 government control;

10 (4) the development of a free market economic  
11 system; and

12 (5) assistance for the purposes described in the  
13 Cooperative Threat Reduction Act of 1993 (title XII  
14 of Public Law 103–160).

15 LIMITATION ON FUNDS FOR HAITI

16 SEC. 564. Effective March 1, 1996, none of the funds  
17 appropriated in this Act may be made available to the  
18 Government of Haiti when it is made known to the Presi-  
19 dent that such Government is controlled by a regime hold-  
20 ing power through means other than the democratic elec-  
21 tions scheduled for calendar year 1995 and held in sub-  
22 stantial compliance with the requirements of the 1987  
23 Constitution of Haiti.

1 PURCHASE OF AMERICAN-MADE EQUIPMENT AND  
2 PRODUCTS

3 SEC. 565. (a) SENSE OF CONGRESS.—It is the sense  
4 of the Congress that, to the greatest extent practicable,  
5 all equipment and products purchased with funds made  
6 available in this Act should be American-made.

7 (b) NOTICE REQUIREMENT.—In providing financial  
8 assistance to, or entering into any contract with, any en-  
9 tity using funds made available in this Act, the head of  
10 each Federal agency, to the greatest extent practicable,  
11 shall provide to such entity a notice describing the state-  
12 ment made in subsection (a) by the Congress.

13 LIMITATION ON ASSISTANCE TO TURKEY

14 SEC. 566. Not more than \$33,500,000 of the funds  
15 appropriated in this Act under the heading “Economic  
16 Support Fund” may be made available to the Government  
17 of Turkey.

18 LIMITATION OF FUNDS FOR NORTH AMERICAN  
19 DEVELOPMENT BANK

20 SEC. 566A. None of the funds appropriated in this  
21 Act under the heading “North American Development  
22 Bank” and made available for the Community Adjustment  
23 and Investment Program shall be used for purposes other  
24 than those set out in the binational agreement establishing  
25 the Bank.

## 1                   LIMITATION ON FUNDS FOR BURMA

2           SEC. 567. None of the funds made available in this  
3 Act may be used for International Narcotics Control or  
4 Crop Substitution Assistance for the Government of  
5 Burma.

## 6                   ASIAN DEVELOPMENT BANK

7           SEC. 568. The Secretary of the Treasury may, to ful-  
8 fill commitments of the United States, subscribe to and  
9 make payments for shares of the Asian Development Bank  
10 in connection with the fourth general capital increase of  
11 the Bank. The amount authorized to be appropriated for  
12 paid-in shares of the Bank is limited to \$66,614,647; the  
13 amount authorized to be appropriated for payment for  
14 callable shares of the Bank is limited to \$3,264,178,021.  
15 The amount to be paid in respect of each subscription is  
16 authorized to be appropriated without fiscal year limita-  
17 tion. Any subscription by the United States to the capital  
18 stock of the Bank shall be effective only to such extent  
19 or in such amounts as are provided in advance in appro-  
20 priations Acts.

## 21                   INTERNATIONAL DEVELOPMENT ASSOCIATION

22           SEC. 569. In order to pay for the United States con-  
23 tribution to the tenth replenishment of the resources of  
24 the International Development Association authorized in  
25 section 526 of Public Law 103–87, there is authorized to  
26 be appropriated, without fiscal year limitation,

1 \$700,000,000 for payment by the Secretary of the Treas-  
2 ury.

3 SPECIAL DEBT RELIEF FOR THE POOREST

4 SEC. 570. (a) AUTHORITY TO REDUCE DEBT.—The  
5 President may reduce amounts owed to the United States  
6 (or any agency of the United States) by an eligible country  
7 as a result of—

8 (1) guarantees issued under sections 221 and  
9 222 of the Foreign Assistance Act of 1961; or

10 (2) credits extended or guarantees issued under  
11 the Arms Export Control Act.

12 (b) LIMITATIONS.—

13 (1) The authority provided by subsection (a)  
14 may be exercised only to implement multilateral offi-  
15 cial debt relief and referendum agreements, com-  
16 monly referred to as “Paris Club Agreed Minutes”.

17 (2) The authority provided by subsection (a)  
18 may be exercised only in such amounts or to such  
19 extent as is provided in advance by appropriations  
20 Acts.

21 (3) The authority provided by subsection (a)  
22 may be exercised only with respect to countries with  
23 heavy debt burdens that are eligible to borrow from  
24 the International Development Association, but not  
25 from the International Bank for Reconstruction and



1 Development, commonly referred to as “IDA-only”  
2 countries.

3 (c) CONDITIONS.—The authority provided by sub-  
4 section (a) may be exercised only with respect to a country  
5 whose government—

6 (1) does not have an excessive level of military  
7 expenditures;

8 (2) has not repeatedly provided support for acts  
9 of international terrorism;

10 (3) is not failing to cooperate on international  
11 narcotics control matters;

12 (4) (including its military or other security  
13 forces) does not engage in a consistent pattern of  
14 gross violations of internationally recognized human  
15 rights; and

16 (5) is not ineligible for assistance because of the  
17 application of section 527 of the Foreign Relations  
18 Authorization Act, fiscal years 1994 and 1995.

19 (d) AVAILABILITY OF FUNDS.—The authority pro-  
20 vided by subsection (a) may be used only with regard to  
21 funds appropriated by this Act under the heading “Debt  
22 Restructuring”.

23 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-  
24 duction of debt pursuant to subsection (a) shall not be  
25 considered assistance for purposes of any provision of law

1 limiting assistance to a country. The authority provided  
 2 by subsection (a) may be exercised notwithstanding sec-  
 3 tion 620(r) of the Foreign Assistance Act of 1961.

4 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

5 SEC. 571. (a) LOANS ELIGIBLE FOR SALE, REDUC-  
 6 TION, OR CANCELLATION.—

7 (1) AUTHORITY TO SELL, REDUCE, OR CANCEL  
 8 CERTAIN LOANS.—Notwithstanding any other provi-  
 9 sion of law, the President may, in accordance with  
 10 this section, sell to any eligible purchaser any  
 11 concessional loan or portion thereof made before  
 12 January 1, 1995, pursuant to the Foreign Assist-  
 13 ance Act of 1961, to the government of any eligible  
 14 country as defined in section 702(6) of that Act or  
 15 on receipt of payment from an eligible purchaser, re-  
 16 duce or cancel such loan or portion thereof, only for  
 17 the purpose of facilitating—

18 (A) debt-for-equity swaps, debt-for-develop-  
 19 ment swaps, or debt-for-nature swaps; or

20 (B) a debt buyback by an eligible country  
 21 of its own qualified debt, only if the eligible  
 22 country uses an additional amount of the local  
 23 currency of the eligible country, equal to not  
 24 less than 40 percent of the price paid or such  
 25 debt by such eligible country, or the difference  
 26 between the price paid for such debt and the

1 face value of such debt, to support activities  
2 that link conservation and sustainable use of  
3 natural resources with local community develop-  
4 ment, and child survival and other child devel-  
5 opment, in a manner consistent with section  
6 707 through 710 of the Foreign Assistance Act  
7 of 1961, if the sale, reduction, or cancellation  
8 would not contravene any term or condition of  
9 any prior agreement relating to such loan.

10 (2) TERMS AND CONDITIONS.—Notwithstanding  
11 any other provision of law, the President shall, in ac-  
12 cordance with this section, establish the terms and  
13 conditions under which loans may be sold, reduced,  
14 or canceled pursuant to this section.

15 (3) ADMINISTRATION.—The Facility, as defined  
16 in section 702(8) of the Foreign Assistance Act of  
17 1961, shall notify the administrator of the agency  
18 primarily responsible for administering part I of the  
19 Foreign Assistance Act of 1961 of purchasers that  
20 the President has determined to be eligible, and  
21 shall direct such agency to carry out the sale, reduc-  
22 tion, or cancellation of a loan pursuant to this sec-  
23 tion. Such agency shall make an adjustment in its  
24 accounts to reflect the sale, reduction, or cancella-  
25 tion.

1           (4) LIMITATION.—The authorities of this sub-  
2       section shall be available only to the extent that ap-  
3       propriations for the cost of the modification, as de-  
4       fined in section 502 of the Congressional Budget Act  
5       of 1974, are made in advance.

6       (b) DEPOSIT OF PROCEEDS.—The proceeds from the  
7       sale, reduction, or cancellation of any loan sold, reduced,  
8       or canceled pursuant to this section shall be deposited in  
9       the United States Government account or accounts estab-  
10      lished for the repayment of such loan.

11      (c) ELIGIBLE PURCHASERS.—A loan may be sold  
12      pursuant to subsection (a)(1)(A) only to a purchaser who  
13      presents plans satisfactory to the President for using the  
14      loan for the purpose of engaging in debt-for-equity swaps,  
15      debt-for-development swaps, or debt-for-nature swaps.

16      (d) DEBTOR CONSULTATIONS.—Before the sale to  
17      any eligible purchaser, or any reduction or cancellation  
18      pursuant to this section, of any loan made to an eligible  
19      country, the President shall consult with the country con-  
20      cerning the amount of loans to be sold, reduced, or can-  
21      celed and their uses for debt-for-equity swaps, debt-for-  
22      development swaps, or debt-for-nature swaps.

23      (e) AVAILABILITY OF FUNDS.—The authority pro-  
24      vided by subsection (a) may be used only with regard to

1 funds appropriated by this Act under the heading “Debt  
2 Restructuring”.

3 DRAWDOWN AUTHORITY FOR JORDAN

4 SEC. 572. During fiscal year 1996, the President may  
5 direct, for the purposes of part II of the Foreign Assist-  
6 ance Act of 1961, the drawdown for Jordan of defense  
7 articles from the stocks of the Department of Defense, de-  
8 fense services of the Department of Defense, and military  
9 education and training of up to an aggregate of  
10 \$100,000,000: *Provided*, That—

11 (a) within six months of the last drawdown  
12 under subsection (a), the President shall submit a  
13 report to the Committee on Appropriations identify-  
14 ing the articles, services, training or education pro-  
15 vided;

16 (b) section 506(c) of the Foreign Assistance Act  
17 of 1961 shall apply to the drawdown authority in  
18 this section; and

19 (c) section 632(d) of the Foreign Assistance  
20 Act of 1961 shall not apply with respect to  
21 drawdowns under this section.

22 LIBERIA

23 SEC. 573. (a) Public Law 102–270 is amended—

24 (1) in subsection (b) by striking “Notwithstand-  
25 ing section 620(q) of the Foreign Assistance Act of

1       1961 or any other similar provision, the” and insert-  
2       ing “The”; and

3               (2) in subsection (b)(2) by striking “to imple-  
4       ment the Yamoussoukro peace accord”.

5       (b) Funds appropriated by this Act may be made  
6       available for assistance for Liberia notwithstanding sec-  
7       tion 620(q) of the Foreign Assistance Act of 1961 and  
8       section 512 of this Act.

9       ANNUAL REPORT ON ECONOMIC AND SOCIAL GROWTH

10       SEC. 574. (a) REPORTING REQUIREMENT.—The  
11       President shall submit to the appropriate congressional  
12       committees an annual report providing a concise overview  
13       of the prospects for economic and social growth on a  
14       broad, equitable, and sustainable basis in the countries re-  
15       ceiving economic assistance under title II of this Act. For  
16       each country, the report shall discuss the laws, policies  
17       and practices of that country that most contribute to or  
18       detract from the achievement of this kind of growth. The  
19       report should address relevant macroeconomic, micro-  
20       economic, social, legal, environmental, and political factors  
21       and include criteria regarding wage and price controls,  
22       State ownership of production and distribution, State con-  
23       trol of financial institutions, trade and foreign investment,  
24       capital and profit repatriation, tax and private property  
25       protections and a country’s commitment to stimulate edu-  
26       cation, health and human development.

1 (b) COUNTRIES.—The countries referred to in sub-  
2 section (a) are countries—

3 (1) for which in excess of \$5,000,000 has been  
4 obligated during the previous fiscal year for assist-  
5 ance under sections 103 through 106, chapters 10  
6 and 11 of part I, and chapter 4 of part II of the  
7 Foreign Assistance of 1961, and under the Support  
8 for East European Democracy Act of 1989; or

9 (2) for which in excess of \$1,000,000 has been  
10 obligated during the previous fiscal year by the  
11 Overseas Private Investment Corporation.

12 (c) CONSULTATION.—The Secretary of State shall  
13 submit the report required by subsection (a) in consulta-  
14 tion with the Secretary of the Treasury, the Administrator  
15 of the Agency for International Development, and the  
16 President of the Overseas Private Investment Corporation.  
17 The report shall be submitted with the annual congres-  
18 sional presentation for appropriations.

19 SEC. 575. To the maximum extent possible, the funds  
20 provided by this Act shall be used to provide surveying  
21 and mapping related services through contracts entered  
22 into through competitive bidding to qualified United  
23 States contractors.

24 REPORTS REGARDING HONG KONG

25 SEC. 576. (a) Section 301 of the United States-Hong  
26 Kong Policy Act of 1992 (22 U.S.C. 5731) is amended

1 in the text above paragraph (1) by inserting “March 31,  
2 1996,” after “March 31, 1995,”.

3 (b) In light of the deficiencies in reports submitted  
4 to the Congress pursuant to section 301 of the United  
5 States-Hong Kong Policy Act (22 U.S.C. 5731), the Con-  
6 gress directs that the additional report required to be sub-  
7 mitted under such section by subsection (a) of this section  
8 include detailed information on the status of, and other  
9 developments affecting, implementation of the Sino-Brit-  
10 ish Joint Declaration on the Question of Hong Kong, in-  
11 cluding—

12 (1) the Basic Law and its consistency with  
13 the Joint Declaration;

14 (2) the openness and fairness of elections  
15 to the legislature;

16 (3) the openness and fairness of the elec-  
17 tion of the chief executive and the executive’s  
18 accountability to the legislature;

19 (4) the treatment of political parties;

20 (5) the independence of the judiciary and  
21 its ability to exercise the power of final judg-  
22 ment over Hong Kong law; and

23 (6) the Bill of Rights.

24 SEC. 577. Notwithstanding any other provision of  
25 this Act, \$20,000,000 of the funds made available under



1 the headings “Development Assistance” and/or “Eco-  
2 nomic Support Fund” may be transferred to, and merged  
3 with, the appropriations account entitled “International  
4 Narcotics Control” and may be available for the same pur-  
5 poses for which funds in such account are available.

6 GUATEMALA

7 SEC. 578. (a) Funds provided in this Act may be  
8 made available for the Guatemalan military or security  
9 forces, and the restrictions on Guatemala under the head-  
10 ings “International Military Education and Training” and  
11 “Foreign Military Financing Program” shall not apply,  
12 only if the President determines and certifies to the Con-  
13 gress that the Guatemalan military is cooperating with ef-  
14 forts to resolve human rights abuses which elements of  
15 the Guatemalan military or security forces are alleged to  
16 have committed, ordered or attempted to thwart the inves-  
17 tigation of.

18 (b) The prohibition contained in subsection (a) shall  
19 not apply to funds made available to implement a cease-  
20 fire or peace agreement.

21 (c) Any funds made available pursuant to subsections  
22 (a) or (b) shall be subject to the regular notification proce-  
23 dures of the Committees on Appropriations.

24 (d) Any funds made available pursuant to subsections  
25 (a) and (b) for international military education and train-

1 ing may only be for expanded international military edu-  
 2 cation and training.

3 EXTENSION OF TIED AID CREDIT PROGRAM

4 SEC. 579. (a) Section 10(c)(2) of the Export-Import  
 5 Bank Act of 1945 (12 U.S.C. 635i–3(c)(2)) is amended  
 6 by striking “1995” and inserting “1997”.

7 (b) Section 10(e) of the Export-Import Bank Act of  
 8 1945 (12 U.S.C. 635i–3(e)) is amended by striking  
 9 “1993, 1994, and 1995” and inserting “1996 and 1997”.

10 MORATORIUM ON USE OF ANTIPERSONNEL LANDMINES

11 SEC. 580. (a) UNITED STATES MORATORIUM.—For  
 12 a period of one year beginning three years after the date  
 13 of enactment of this Act, the United States shall not use  
 14 antipersonnel landmines except along internationally rec-  
 15 ognized national borders or in demilitarized zones within  
 16 a perimeter marked area that is monitored by military per-  
 17 sonnel and protected by adequate means to ensure the ex-  
 18 clusion of civilians.

19 (b) DEFINITION AND EXEMPTIONS.—For the pur-  
 20 poses of this section:

21 (1) ANTIPERSONNEL LANDMINE.—The term  
 22 “antipersonnel landmine” means any munition  
 23 placed under, on, or near the ground or other sur-  
 24 face area, delivered by artillery, rocket, mortar, or  
 25 similar means, or dropped from an aircraft and  
 26 which is designed, constructed or adapted to be deto-

1 nated or exploded by the presence, proximity, or con-  
2 tact of a person.

3 (2) EXEMPTIONS.—The term “antipersonnel  
4 landmine” does not include command detonated  
5 Claymore munitions.

6 EXTENSION OF AU PAIR PROGRAMS

7 SEC. 581. Section 8 of the Eisenhower Exchange Fel-  
8 lowship Act of 1990 is amended in the last sentence by  
9 striking “fiscal year 1995” and inserting “fiscal year  
10 1996”.

11 SANCTIONS AGAINST COUNTRIES HARBORING WAR

12 CRIMINALS

13 SEC. 582. (a) BILATERAL ASSISTANCE.—Funds ap-  
14 propriated by this Act under the Foreign Assistance Act  
15 of 1961 or the Arms Export Control Act may not be pro-  
16 vided for any country described in subsection (c).

17 (b) MULTILATERAL ASSISTANCE.—The Secretary of  
18 the Treasury shall instruct the United States executive di-  
19 rectors of the international financial institutions to work  
20 in opposition to, and vote against, any extension by such  
21 institutions of financing or financial or technical assist-  
22 ance to any country described in subsection (c).

23 (c) SANCTIONED COUNTRIES.—A country described  
24 in this subsection is a country the government of which  
25 knowingly grants sanctuary to persons in its territory for  
26 the purpose of evading prosecution, where such persons—

1           (1) have been indicted by the International  
2 Criminal Tribunal for the former Yugoslavia, the  
3 International Criminal Tribunal for Rwanda, or any  
4 other international tribunal with similar standing  
5 under international law, or

6           (2) have been indicted for war crimes or crimes  
7 against humanity committed during the period be-  
8 ginning March 23, 1933 and ending on May 8, 1945  
9 under the direction of, or in association with—

10                   (A) the Nazi government of Germany;

11                   (B) any government in any area occupied  
12 by the military forces of the Nazi government  
13 of Germany;

14                   (C) any government which was established  
15 with the assistance or cooperation of the Nazi  
16 government; or

17                   (D) any government which was an ally of  
18 the Nazi government of Germany.

19           LIMITATION ON ASSISTANCE FOR HAITI

20       SEC. 583. (a) LIMITATION.—None of the funds ap-  
21 propriated or otherwise made available by this Act, may  
22 be provided to the Government of Haiti until the President  
23 reports to Congress that—

24           (1) the Government is conducting thorough in-  
25 vestigations of extrajudicial and political killings;  
26 and

1           (2) the Government is cooperating with United  
2       States authorities in the investigations of political  
3       and extrajudicial killings.

4       (b) Nothing in this section shall be construed to re-  
5       strict the provision of humanitarian or electoral assist-  
6       ance.

7       (c) The President may waive the requirements of this  
8       section if he determines and certifies to the appropriate  
9       committees of Congress that it is in the national interest  
10      of the United States or necessary to assure the safe and  
11      timely withdrawal of American forces from Haiti.

12           LIMITATION ON FUNDS TO THE TERRITORY OF THE  
13                           BOSNIAC-CROAT FEDERATION.

14       SEC. 584. Funds appropriated by this Act for activi-  
15      ties in the internationally-recognized borders of Bosnia  
16      and Herzegovina (other than refugee and disaster assist-  
17      ance and assistance for restoration of infrastructure, to  
18      include power grids, water supplies and natural gas) may  
19      only be made available for activities in the territory of the  
20      Bosniac-Croat Federation.

21                           NATO PARTICIPATION

22       SEC. 585. REVISIONS TO PROGRAM TO FACILITATE  
23      TRANSITION TO NATO MEMBERSHIP.—

24       (a) ELIGIBLE COUNTRIES.—(1) Subsection (d) of  
25      section 203 of the NATO Participation Act of 1994 (title

1 II of Public Law 103-447; 22 U.S.C. 1928 note) is  
2 amended to read as follows:

3 “(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

4 “(1) INITIAL PRESIDENTIAL REVIEW AND DES-  
5 IGNATION.—Within 60 days of the enactment of the  
6 NATO Participation Act Amendments of 1995, the  
7 President should evaluate the degree to which any  
8 country emerging from communist domination which  
9 has expressed its interest in joining NATO meets  
10 the criteria set forth in paragraph (3), and may des-  
11 ignate one or more of these countries as eligible to  
12 receive assistance under the program established  
13 under subsection (a). The President shall, at the  
14 time of designation of any country pursuant to this  
15 paragraph, determine and report to the Committees  
16 on International Relations and Appropriations of the  
17 House of Representatives and the Committees on  
18 Foreign Relations and Appropriations of the Senate  
19 with respect to each country so designated that such  
20 country meets the criteria set forth in paragraph  
21 (3).

22 “(2) OTHER EUROPEAN COUNTRIES EMERGING  
23 FROM COMMUNIST DOMINATION.—In addition to the  
24 countries designated pursuant to paragraph (1), the  
25 President may at any time designate other European

1 countries emerging from communist domination as  
2 eligible to receive assistance under the program es-  
3 tablished under subsection (a). The President shall,  
4 at the time of designation of any country pursuant  
5 to this paragraph, determine and report to the Com-  
6 mittees on International Relations and Appropria-  
7 tions of the House of Representatives and the Com-  
8 mittees on Foreign Relations and Appropriations of  
9 the Senate with respect to each country so des-  
10 ignated that such country meets the criteria set  
11 forth in paragraph (3).

12 “(3) CRITERIA.—The criteria referred to in  
13 paragraphs (1) and (2) are, with respect to each  
14 country, that the country—

15 “(A) has made significant progress toward  
16 establishing—

17 “(i) shared values and interests;

18 “(ii) democratic governments;

19 “(iii) free market economies;

20 “(iv) civilian control of the military, of  
21 the police, and of intelligence services, so  
22 that these organizations do not pose a  
23 threat to democratic institutions, neighbor-  
24 ing countries, or the security of NATO or  
25 the United States;

1 “(v) adherence to the rule of law and  
2 to the values, principles, and political com-  
3 mitments set forth in the Helsinki Final  
4 Act and other declarations by the members  
5 of the Organization on Security and Co-  
6 operation in Europe;

7 “(vi) commitment to further the prin-  
8 ciples of NATO and to contribute to the  
9 security of the North Atlantic area;

10 “(vii) commitment to protecting the  
11 rights of all their citizens and respecting  
12 the territorial integrity of their neighbors;

13 “(viii) commitment and ability to ac-  
14 cept the obligations, responsibilities, and  
15 costs of NATO membership; and

16 “(ix) commitment and ability to im-  
17 plement infrastructure development activi-  
18 ties that will facilitate participation in and  
19 support for NATO military activities;

20 “(B) is likely, within five years of such de-  
21 termination, to be in a position to further the  
22 principles of the North Atlantic Treaty and to  
23 contribute to the security of the North Atlantic  
24 area; and



1           “(C) is not ineligible to receive assistance  
2           under section 552 of the Foreign Operations,  
3           Export Financing, and Related Programs Ap-  
4           propriations Act, 1996, with respect to trans-  
5           fers of equipment to a country the government  
6           of which the Secretary of State has determined  
7           is a terrorist government for purposes of section  
8           40(d) of the Arms Export Control Act.”.

9           (2) CONFORMING AMENDMENTS.—

10           (A) Subsections (b) and (c) of section 203 of  
11           such Act are amended by striking “countries de-  
12           scribed in such subsection” each of the two places  
13           it appears and inserting “countries designated under  
14           subsection (d)”.

15           (B) Subsection (e) of section 203 of such Act  
16           is amended by inserting “(22 U.S.C. 2394–1), and  
17           shall include with such notification a memorandum  
18           of justification with respect to the proposed designa-  
19           tion” before the period at the end.

20           (b) TYPES OF ASSISTANCE.—Section 203(c) of such  
21           Act is amended by inserting after paragraph (4) the fol-  
22           lowing new paragraphs:

23           “(5) Assistance under chapter 4 of part II of  
24           the Foreign Assistance Act of 1961 (relating to the  
25           Economic Support Fund).

1           “(6) Funds appropriated under the “Non-  
2       proliferation and Disarmament Fund” account.

3           “(7) Assistance under chapter 6 of part II of  
4       the Foreign Assistance Act of 1961 (relating to  
5       peacekeeping operations and other programs).

6           “(8) Notwithstanding any other provision of  
7       law, including any restrictions in sections 516 and  
8       519 of the Foreign Assistance Act of 1961, as  
9       amended, the President may direct the crating,  
10      packing, handling, and transportation of excess de-  
11      fense articles provided pursuant to paragraphs (1)  
12      and (2) of this subsection without charge to the re-  
13      cipient of such articles.”.

14       (c) EFFECT ON OTHER AUTHORITIES.—Section 203  
15   of the NATO Participation Act of 1994 (title II of Public  
16   Law 103–447, 22 U.S.C. 1928 note), is amended to add  
17   a new subsection (g) to read as follows:

18       “(g) EFFECT ON OTHER AUTHORITIES.—Nothing in  
19   this Act shall affect the eligibility of countries to partici-  
20   pate under other provisions of law in programs described  
21   in this Act.”.

22       (d) ANNUAL REPORT.—Section 205 of the NATO  
23   Participation Act of 1994 (title II of Public Law 103–  
24   447; 22 U.S.C. 1928 note) is amended:

1           (1) by inserting “ANNUAL” in the section  
2 heading before the first word;

3           (2) by inserting “annual” after “include in the”  
4 in the matter preceding paragraph (1); and

5           (3) in paragraphs (1) and (2), by striking “and  
6 other” and all that follows through the period at the  
7 end and in both instances inserting in lieu thereof  
8 “and any other country designated by the President  
9 pursuant to section 203(d).”.

## 10 TITLE VI—MIDDLE EAST PEACE FACILITATION

### 11 ACT OF 1995

#### 12 SHORT TITLE

13 SEC. 601. This title may be cited as the “Middle East  
14 Peace Facilitation Act of 1995”.

#### 15 FINDINGS

16 SEC. 602. The Congress finds that—

17           (1) the Palestine Liberation Organization (here-  
18 after the “P.L.O.”) has recognized the State of Isra-  
19 el’s right to exist in peace and security, accepted  
20 United Nations Security Council Resolutions 242  
21 and 338, committed itself to the peace process and  
22 peaceful coexistence with Israel, free from violence  
23 and all other acts which endanger peace and stabil-  
24 ity, and assumed responsibility over all P.L.O. ele-  
25 ments and personnel in order to assure their compli-  
26 ance, prevent violations, and discipline violators;

1           (2) Israel has recognized the P.L.O. as the rep-  
2       resentative of the Palestinian people;

3           (3) Israel and the P.L.O. signed a Declaration  
4       of Principles on Interim Self-Government Arrange-  
5       ments (hereafter the “Declaration of Principles”) on  
6       September 13, 1993 at the White House;

7           (4) Israel and the P.L.O. signed an Agreement  
8       on the Gaza Strip and the Jericho Area (hereafter  
9       the “Gaza-Jericho Agreement”) on May 4, 1994  
10      which established a Palestinian Authority for the  
11      Gaza and Jericho areas;

12          (5) Israel and the P.L.O. signed an Agreement  
13      on Preparatory Transfer of Powers and Responsibil-  
14      ities (hereafter the “Early Empowerment Agree-  
15      ment”) on August 29, 1994 which provided for the  
16      transfer to the Palestinian Authority of certain pow-  
17      ers and responsibilities in the West Bank outside of  
18      the Jericho Area;

19          (6) under the terms of the Israeli-Palestinian  
20      Interim Agreement on the West Bank and Gaza  
21      (hereafter the “Interim Agreement) signed on Sep-  
22      tember 28, 1995, the Declaration of Principles, the  
23      Gaza-Jericho Agreement and the Early  
24      Empowerment Agreement, the powers and respon-  
25      sibilities of the Palestinian Authority are to be as-

1       sumed by an elected Palestinian Council with juris-  
2       diction in the West Bank and Gaza Strip in accord-  
3       ance with the Interim Agreement;

4               (7) permanent status negotiations relating to  
5       the West Bank and Gaza Strip are scheduled to  
6       begin by May 1996;

7               (8) the Congress has, since the conclusion of  
8       the Declaration of Principles and the P.L.O.'s re-  
9       nunciation of terrorism, provided authorities to the  
10      President to suspend certain statutory restrictions  
11      relating to the P.L.O., subject to Presidential certifi-  
12      cations that the P.L.O. has continued to abide by  
13      commitments made in and in connection with or re-  
14      sulting from the good faith implementation of, the  
15      Declaration of Principles;

16              (9) the P.L.O. commitments relevant to Presi-  
17      dential certifications have included commitments to  
18      renounce and condemn terrorism, to submit to the  
19      Palestinian National Council for former approval the  
20      necessary changes to those articles of the Palestinian  
21      Covenant which call for Israel's destruction, and to  
22      prevent acts of terrorism and hostilities against Is-  
23      rael; and

24              (10) the United States is resolute in its deter-  
25      mination to ensure that in providing assistance to

1       Palestinians living under the jurisdiction of the Pal-  
2       estinian Authority or elsewhere, the beneficiaries of  
3       such assistance shall be held to the same standard  
4       of financial accountability and management control  
5       as any other recipient of United States assistance.

6                               SENSE OF CONGRESS

7       SEC. 603. It is the sense of the Congress that the  
8       P.L.O. must do far more to demonstrate an irrevocable  
9       denunciation of terrorism and ensure a peaceful settle-  
10      ment of the Middle East dispute, and in particular it  
11      must—

12               (1) submit to the Palestinian National Council  
13               for formal approval the necessary changes to those  
14               articles of the Palestinian National Covenant which  
15               call for Israel's destruction;

16               (2) make greater efforts to pre-empt acts of ter-  
17               ror, discipline violators and contribute to stemming  
18               the violence that has resulted in the deaths of over  
19               140 Israeli and United States citizens since the sign-  
20               ing of the Declaration of Principles;

21               (3) prohibit participation in its activities and in  
22               the Palestinian Authority and its successors by any  
23               groups or individuals which continue to promote and  
24               commit acts of terrorism;

25               (4) cease all anti-Israel rhetoric, which poten-  
26               tially undermines the peace process;

1 (5) confiscate all unlicensed weapons;

2 (6) transfer and cooperate in transfer proceed-  
3 ings relating to any person accused by Israel to acts  
4 of terrorism; and

5 (7) respect civil liberties, human rights and  
6 democratic norms.

7 AUTHORITY TO SUSPEND CERTAIN PROVISIONS

8 SEC. 604. (a) IN GENERAL.—Subject to sub-  
9 section (b), beginning on the date of enactment of this  
10 Act and for eighteen months thereafter, the President  
11 may suspend for a period of not more than 6 months at  
12 a time any provision of law specified in subsection (d).  
13 Any such suspension shall cease to be effective after 6  
14 months, or at such earlier date as the President may  
15 specify.

16 (b) CONDITIONS.—

17 (1) CONSULTATIONS.—Prior to each exercise of  
18 the authority provided in subsection (a) or certifi-  
19 cation pursuant to subsection (c), the President shall  
20 consult with the relevant congressional committees.  
21 The President may not exercise that authority or  
22 make such certification until 30 days after a written  
23 policy justification is submitted to the relevant con-  
24 gressional committees.

25 (2) PRESIDENTIAL CERTIFICATION.—The  
26 President may exercise the authority provided in

1 subsection (a) only if the President certifies to the  
2 relevant congressional committees each time he exer-  
3 cises such authority that—

4 (A) it is in the national interest of the  
5 United States to exercise such authority;

6 (B) the P.L.O., the Palestinian Authority,  
7 and successor entities are complying with all  
8 the commitments described in paragraph (4);  
9 and

10 (C) funds provided pursuant to the exer-  
11 cise of this authority and the authorities under  
12 section 583(a) of Public Law 103–236 and sec-  
13 tion 3(a) of Public Law 103–125 have been  
14 used for the purposes for which they were in-  
15 tended.

16 (3) REQUIREMENT FOR CONTINUING P.L.O.  
17 COMPLIANCE.—

18 (A) The President shall ensure that P.L.O.  
19 performance is continuously monitored and if  
20 the President at any time determines that the  
21 P.L.O. has not continued to comply with all the  
22 commitments described in paragraph (4), he  
23 shall so notify the relevant congressional com-  
24 mittees and any suspension under subsection



1 (a) of a provision of law specified in subsection  
2 (d) shall cease to be effective.

3 (B) Beginning six months after the date of  
4 enactment of this Act, if the President on the  
5 basis of the continuous monitoring of the  
6 P.L.O.'s performance determines that the  
7 P.L.O. is not complying with the requirements  
8 described in subsection (c), he shall so notify  
9 the relevant congressional committees and no  
10 assistance shall be provided pursuant to the ex-  
11 ercise by the President of the authority pro-  
12 vided by subsection (a) until such time as the  
13 President makes the certification provided for  
14 in subsection (c).

15 (4) P.L.O. COMMITMENTS DESCRIBED.—The  
16 commitments referred to in paragraphs (2)(B) and  
17 (3)(A) are the commitments made by the P.L.O.—

18 (A) in its letter of September 9, 1993, to  
19 the Prime Minister of Israel; in its letter of  
20 September 9, 1993, to the Foreign Minister of  
21 Norway to—

22 (i) recognize the right of the State of  
23 Israel to exist in peace and security;

24 (ii) accept United Nations Security  
25 Council Resolutions 242 and 338;

1 (iii) renounce the use of terrorism and  
2 other acts of violence;

3 (iv) assume responsibility over all  
4 P.L.O. elements and personnel in order to  
5 assure their compliance, prevent violations  
6 and discipline violators;

7 (v) call upon the Palestinian people in  
8 the West Bank and Gaza Strip to take  
9 part in the steps leading to the normaliza-  
10 tion of life, rejecting violence and terror-  
11 ism, and contributing to peace and stabil-  
12 ity; and

13 (vi) submit to the Palestine National  
14 Council for formal approval the necessary  
15 changes to the Palestinian National Cov-  
16 enant eliminating calls for Israel's destruc-  
17 tion, and

18 (B) in, and resulting from, the good faith  
19 implementation of the Declaration of Principles,  
20 including good faith implementation of subse-  
21 quent agreements with Israel, with particular  
22 attention to the objective of preventing terror-  
23 ism, as reflected in the provisions of the In-  
24 terim Agreement concerning—

1 (i) prevention of acts of terrorism and  
2 legal measures against terrorists, including  
3 the arrest and prosecution of individuals  
4 suspected of perpetrating acts of violence  
5 and terror;

6 (ii) abstention from and prevention of  
7 incitement, including hostile propaganda;

8 (iii) operation of armed forces other  
9 than the Palestinian Police;

10 (iv) possession, manufacture, sale, ac-  
11 quisition or importation of weapons;

12 (v) employment of police who have  
13 been convicted of serious crimes or have  
14 been found to be actively involved in ter-  
15 rorist activities subsequent to their employ-  
16 ment;

17 (vi) transfers to Israel of individuals  
18 suspected of, charged with, or convicted of  
19 an offense that falls within Israeli criminal  
20 jurisdiction;

21 (vii) cooperation with the government  
22 of Israel in criminal matters, including co-  
23 operation in the conduct of investigations;  
24 and

1 (viii) exercise of powers and respon-  
2 sibilities under the agreement with due re-  
3 gard to internationally accepted norms and  
4 principles of human rights and the rule of  
5 law.

6 (5) POLICY JUSTIFICATION.—As part of the  
7 President’s written policy justification to be submit-  
8 ted to the relevant Congressional Committees pursu-  
9 ant to paragraph (1), the President will report on—

10 (A) the manner in which the P.L.O. has  
11 complied with the commitments specified in  
12 paragraph (4), including responses to individual  
13 acts of terrorism and violence, actions to dis-  
14 cipline perpetrators of terror and violence, and  
15 actions to preempt acts of terror and violence;

16 (B) the extent to which the P.L.O. has ful-  
17 filled the requirements specified in subsection  
18 (c);

19 (C) actions that the P.L.O. has taken with  
20 regard to the Arab League boycott of Israel;

21 (D) the status and activities of the P.L.O.  
22 office in the United States;

23 (E) all United States assistance which ben-  
24 efits, directly or indirectly, the projects, pro-  
25 grams, or activities of the Palestinian Authority

1 in Gaza, Jericho, or any other area it may con-  
2 trol, since September 13, 1993, including—

3 (i) the obligation and disbursal of  
4 such assistance, by project, activity, and  
5 date, as well as by prime contractor and all  
6 subcontractors;

7 (ii) the organizations or individuals  
8 responsible for the receipt and obligation  
9 of such assistance;

10 (iii) the intended beneficiaries of such  
11 assistance; and

12 (iv) the amount of international donor  
13 funds that benefit the P.L.O. or the Pal-  
14 estinian Authority in Gaza, Jericho, or any  
15 other area the P.L.O. or the Palestinian  
16 Authority may control, and to which the  
17 United States is a contributor; and

18 (F) statements by senior officials of the  
19 P.L.O., the Palestinian Authority, and succes-  
20 sor entities that question the right of Israel to  
21 exist or urge armed conflict with or terrorism  
22 against Israel or its citizens, including an as-  
23 sessment of the degree to which such state-  
24 ments reflect official policy of the P.L.O., the  
25 Palestinian Authority, or successor entities.

1       (c) REQUIREMENT FOR CONTINUED PROVISION OF  
2 ASSISTANCE.—Six months after the enactment of this  
3 Act, United States assistance shall not be provided pursu-  
4 ant to the exercise by the President of the authority pro-  
5 vided by subsection (a), unless and until the President de-  
6 termines and so certifies to the Congress that—

7           (1) if the Palestinian Council has been elected  
8       and assumed its responsibilities, it has, within 2  
9       months, effectively disavowed and thereby nullified  
10      the articles of the Palestine National Covenant  
11      which call for Israel’s destruction, unless the nec-  
12      essary changes to the Covenant have already been  
13      approved by the Palestine National Council;

14          (2) the P.L.O., the Palestinian Authority, and  
15      successor entities have exercised their authority reso-  
16      lutely to establish the necessary enforcement institu-  
17      tions; including laws, police, and a judicial system,  
18      for apprehending, transferring, prosecuting, convict-  
19      ing, and imprisoning terrorists;

20          (3) the P.L.O., has limited participation in the  
21      Palestinian Authority and its successors to individ-  
22      uals and groups that neither engage in nor practice  
23      terrorism or violence in the implementation of their  
24      political goals;

1           (4) the P.L.O., the Palestinian Authority, and  
2           successor entities have not provided any financial or  
3           material assistance or training to any group, wheth-  
4           er or not affiliated with the P.L.O., to carry out ac-  
5           tions inconsistent with the Declaration of Principles,  
6           particularly acts of terrorism against Israel;

7           (5) the P.L.O., the Palestinian Authority, or  
8           successor entities have cooperated in good faith with  
9           Israeli authorities in—

10                   (A) the preemption of acts of terrorism;

11                   (B) the apprehension, trial, and punish-  
12                   ment of individuals who have planned or com-  
13                   mitted terrorist acts subject to the jurisdiction  
14                   of the Palestinian Authority or any successor  
15                   entity; and

16                   (C) the apprehension of and transfer to Is-  
17                   raeli authorities of individuals suspected of,  
18                   charged with, or convicted of, planning or com-  
19                   mitting terrorist acts subject to Israeli jurisdic-  
20                   tion in accordance with the specific provisions  
21                   of the Interim Agreement;

22           (6) the P.L.O., the Palestinian Authority, and  
23           successor entities have exercised their authority reso-  
24           lutely to enact and implement laws requiring the dis-

1 arming of civilians not specifically licensed to pos-  
2 sess or carry weapons;

3 (7) the P.L.O., the Palestinian Authority, and  
4 successor entities have not funded, either partially or  
5 wholly, or have ceased funding, either partially or  
6 wholly, any office, or other presence of the Palestin-  
7 ian Authority in Jerusalem unless established by  
8 specific agreement between Israel and the P.L.O.,  
9 the Palestinian Authority, or successor entities;

10 (8) the P.L.O., the Palestinian Authority, and  
11 successor entities are cooperating fully with the Gov-  
12 ernment of the United States on the provision of in-  
13 formation on United States nationals known to have  
14 been held at any time by the P.L.O. or factions  
15 thereof; and

16 (9) the P.L.O., the Palestinian Authority, and  
17 successor entities have not, without the agreement of  
18 the Government of Israel, taken any steps that will  
19 change the status of Jerusalem or the West Bank  
20 and Gaza Strip, pending the outcome of the perma-  
21 nent status negotiations.

22 (d) PROVISIONS THAT MAY BE SUSPENDED.—The  
23 provisions that may be suspended under the authority of  
24 subsection (a) are the following:



1           (1) Section 307 of the Foreign Assistance Act  
2           of 1961 (22 U.S.C. 2227) as it applies with respect  
3           to the P.L.O. or entities associated with it.

4           (2) Section 114 of the Department of State Au-  
5           thorization Act, fiscal years 1984 and 1985 (22  
6           U.S.C. 287e note) as it applies with respect to the  
7           P.L.O. or entities associated with it.

8           (3) Section 1003 of the Foreign Relations Au-  
9           thorization Act, fiscal years 1988 and 1989 (22  
10          U.S.C. 5202).

11          (4) Section 37 of the Bretton Woods Agreement  
12          Act (22 U.S.C. 286W) as it applies on the granting  
13          to the P.L.O. of observer status or other official sta-  
14          tus at any meeting sponsored by or associated with  
15          the International Monetary Fund. As used in this  
16          paragraph, the term “other official status” does not  
17          include membership in the International Monetary  
18          Fund.

19          (e) DEFINITIONS.—As used in this title:

20                (1)    RELEVANT    CONGRESSIONAL    COMMIT-  
21                TEES.—The term “relevant congressional commit-  
22                tees” mean—

23                        (A) the Committee on International Rela-  
24                        tions, the Committee on Banking and Financial

1 Services, and the Committee on Appropriations  
2 of the House of Representatives; and

3 (B) the Committee on Foreign Relations  
4 and the Committee on Appropriations of the  
5 Senate.

6 (2) UNITED STATES ASSISTANCE.—The term  
7 “United States assistance” means any form of  
8 grant, loan, loan guarantee, credit, insurance, in  
9 kind assistance, or any other form of assistance.

10 TRANSITION PROVISION

11 SEC. 605. (a) IN GENERAL.—Section 583(a) of the  
12 Foreign Relations Authorization Act, Fiscal Years 1994  
13 and 1995 (Public Law 103–236) is amended by striking  
14 “November 1, 1995” and insert “January 1, 1996”.

15 (b) CONSULTATION.—For purposes of any exercise of  
16 the authority provided in section 583(a) of the Foreign  
17 Relations Authorization Act, Fiscal Years 1994 and 1995  
18 (Public Law 103–236) prior to November 15, 1995, the  
19 written policy justification dated June 1, 1995, and sub-  
20 mitted to the Congress in accordance with section  
21 583(b)(1) of such Act, and the consultations associated  
22 with such policy justification, shall be deemed to satisfy  
23 the requirements of section 583(b)(1) of such Act.

## 1 REPORTING REQUIREMENT

2 SEC. 606. Section 804(b) of the P.L.O. Commitments  
 3 Compliance Act of 1989 (title VIII of Public Law 101–  
 4 246) is amended—

5 (1) in the matter preceding paragraph (1), by  
 6 striking “section (3)(b)(1) of the Middle East Peace  
 7 Facilitation Act of 1994” and inserting “section  
 8 604(b)(1) of the Middle East Peace Facilitation Act  
 9 of 1995”; and

10 (2) in paragraph (1), by striking “section (4)(a)  
 11 of the Middle East Peace Facilitation Act of 1994  
 12 (Oslo commitments)” and inserting “section  
 13 604(b)(4) of the Middle East Peace Facilitation Act  
 14 of 1995”.

15 This Act may be cited as the “Foreign Operations,  
 16 Export Financing, and Related Programs Appropriations  
 17 Act, 1996”.



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